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Ontario

**ROYAL COMMISSION OF INQUIRY INTO CERTAIN
DEATHS AT THE HOSPITAL FOR SICK CHILDREN AND
RELATED MATTERS.**

Hearing held
8th floor
180 Dundas Street West
Toronto, Ontario

The Honourable Mr. Justice S.G.M. Grange

Commissioner

P.S.A. Lamek, Q.C.

Counsel

E.A. Cronk

Associate Counsel

Thomas Millar

Administrator

Transcript of evidence
for

March 21, 1984

VOLUME 120

OFFICIAL COURT REPORTERS

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ROYAL COMMISSION OF INQUIRY INTO CERTAIN
DEATHS AT THE HOSPITAL FOR SICK CHILDREN
AND RELATED MATTERS.

Hearing held on the 8th Floor,
180 Dundas Street West, Toronto,
Ontario, on Wednesday, the 21st
day of March, 1984.

- - - -

THE HONOURABLE MR. JUSTICE S.G.M. GRANGE - Commissioner
THOMAS MILLAR - Administrator
MURRAY R. ELLIOT - Registrar

APPEARANCES:

P.S.A. LAMEK, O.C.)	Commission Counsel
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D. HUNT)	Counsel for the Attorney
L. CECCHETTO)	General and Solicitor General
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	and Coroner's Office)
I.J. ROLAND)	Counsel for The Hospital
M. THOMSON)	for Sick Children
R. BATTY)	
B. PERCIVAL, O.C.)	Counsel for The Metropolitan
D. YOUNG)	Toronto Police
F. KITELY	Counsel for the Registered
	Nurses' Association of Ontario
	and 35 Registered Nurses at
	The Hospital for Sick Children
H. SOLOMON	Counsel for The Ontario
	Registered Nursing Assistants
D. BROWN	Counsel for Susan Nelles -
	Nurse

(Cont'd) ...



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APPEARANCES: (Cont'd)

E. FORSTER	Counsel for Phyllis Trayner - Nurse
M. ROSENBERG	Counsel for Sui Scott - Nurse
J.A. OLAH	Counsel for Janet Brownless - R.N.A.
B. KNAZAN) B. JACKMAN)	Counsel for Mrs. M. Christie - R.N.A.
F.J. SHANAHAN	Counsel for Mr. & Mrs. Dominic Lombardo (parents of deceased child Stephanie Lombardo); and Heather Dawson (mother of deceased child Amber Dawson)
W.W. TOBIAS	Counsel for Mr. & Mrs. Hines (parents of deceased child Jordan Hines)
J. SHINEHOFT	Counsel for Lorie Pacsai and Kevin Garnet (parents of deceased child Kevin Pacsai)

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A/BB/ko

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--- Upon commencing at 10:00 a.m.

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THE COMMISSIONER: Yes, Mr. Tobias.

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SUI SCOTT, Resumed

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CROSS-EXAMINATION BY MR. TOBIAS: (Continued)

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Q. Mrs. Scott, when we finished yesterday I was just about to ask you some questions regarding your information with respect to the responsibilities on a typical long night shift of the team leader, and your particular team leader. We have already heard some evidence generally what their duties were from some of the other nurses, in particular Mrs. Costello. I take it that on the 4A/B team, and I am referring now specifically to Bertha Bell and to your team leader Phyllis Trayner, that those particular nurses being team leaders on a normal or usual long night shift would not have specific assignments for patient care. Is that basically how it worked?

18

A. Yes.

19

20

Q. Whereas you and your other colleagues would, you would be assigned to certain patients?

21

A. Yes.

22

23

24

25

Q. And you indicated to me yesterday that there was nothing unusual from time to time



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on breaks or whatever checking in on babies in other
rooms. I take it that that was somewhat of a practice
with respect to yourself?

4

5

A. Sometimes, yes.

6

7

Q. All right. Not all the time but
there would be nothing unusual about you doing that,
just looking in on other children?

8

A. No.

9

10

Q. And was that something that was
generally done by other personnel on 4A/B?

11

A. Yes.

12

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14

15

Q. All right. Now, I take it as
well that the team leader, and specifically your team
leader, and tell me if this doesn't apply to her, would
have to be somewhat familiar with the patient condition
of the patients on the ward when she began her shift?

16

A. Yes.

17

Q. Is that correct?

18

A. Yes.

19

20

Q. In fact, I understand that
normally one of the first things that would be done
is, she would take report?

21

A. Yes.

22

23

Q. Would you be there when she took
report as well?

24

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A. Yes.

3

Q. And the other members of her
team?

4

A. Yes.

5

6

Q. All right. And then she would
do her rounds. Do I have that correctly?

7

A. Yes.

8

9

10

Q. Okay. And I take it that with
respect to being aware of the assignments would
Mrs. Trayner be necessarily aware of the assignments
on both 4A and 4B?

11

12

A. Yes, the two team leaders
usually discussed the patients.

13

14

Q. All right. So that vice versa
Mrs. Bell would also be familiar with the specific
assignments on 4A as well?

15

16

A. Yes.

17

18

Q. All right. And we have also
heard evidence that from time to time where necessary,
provided that there were enough nurses to allow the
team leader to do this, she could change assignments
as circumstances dictated.

19

20

21

A. Yes.

22

23

Q. Is that correct?

24

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A. Yes.



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Q. And was that something that was
done fairly routinely?

3

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A. Yes.

5

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Q. Okay. And we have also heard
evidence that normally a registered nursing assistant
would not give medications, in fact, I believe the
evidence was they were not to at any time give
medications, would it usually be the team leader that
administered medications for the registered nursing
assistant?

11

A. Yes.

12

13

14

Q. And was that also the case on
your team, was it usually Mrs. Trayner that gave the
drugs for the registered nursing assistants?

15

16

17

18

19

20

Q. Okay. And as well we have heard
evidence that normally if a patient were on constant
nursing care and that particular nurse giving the
constant nursing care required a relief, that it
would normally be the team leader who provided that
relief. Was that also the case on your team during
the time with which we are concerned?

21

22

A. Yes.

23

24

25

Q. All right. Now, during the
usual set of circumstances, I take it that Bertha Bell



1

2

would have some degree of responsibility for being aware of what was going on on 4A and would, therefore, have to be on 4A from time to time; is that correct?

4

5

A. Well, she comes over from time to time as I say.

6

7

Q. All right. And would the same be true in reverse that Phyllis Trayner would go over to the 4B side from time to time?

8

9

A. Yes.

10

11

Q. And there would be certainly nothing unusual about that?

12

A. No.

13

Q. And there would be nothing unusual about seeing her in a patient room in 4B?

14

A. No.

15

16

Q. And if a patient required some treatment, and I am talking about checking vital signs or being changed or the IV line needed adjustment or something, there would be nothing unusual about Phyllis Trayner doing that in a 4B patient room?

18

19

A. If the nurse in charge asked her, yes.

21

22

Q. Okay. What I am saying though is that if you noticed her doing that you wouldn't know whether she had been asked to or not, it certainly

23

24

25



1
2 wouldn't seem suspicious to you, would it?

3 A. Yes, that's right.

4 Q. Okay, fine. Now, with respect
5 to the salad incident, and we have heard a lot of
6 evidence about it and I don't intend to dwell on it,
7 but there are just a few points I would like to clear
8 up for my own satisfaction. You told us first of all
9 that you don't recall specifically when the incident
was?

10 A. No.

11 Q. So that you couldn't give me a
12 date?

13 A. No.

14 Q. All right. On the particular
15 occasion when this incident occurred, I take it, I
16 think you told Mr. Lamek that you had brought the
17 salad from home. You had obviously prepared it from
18 home, put it in a container and when you got to work
put it in the fridge?

19 A. Yes.

20 Q. Where is the fridge located
21 again?

22 A. In the pantry.

23 Q. I am sorry?

24 A. In the pantry opposite the
25



1
2 nursing station.

3 Q. In the parent room, fine. Now,
4 at the time that you started your dinner break were
5 you eating the salad out of the container that you
6 had brought it in?

7 A. Yes.

8 Q. Okay. I take it from what you
9 told Mr. Lamek the other day that you put some salad
10 dressing on it?

11 A. Yes.

12 Q. And at that time that you put
13 the salad dressing on it, did you toss it, did you
14 mix it up?

15 A. Yes.

16 Q. Okay. And at that time you
17 didn't see any pills in the salad when you tossed it,
18 did you?

19 A. No.

20 Q. Okay. And when you left to go
21 to assist the doctor in setting up the IV line about
22 how much of the salad had you eaten?

23 A. About a quarter.

24 Q. Okay. Do you recall if you can
25 what size container it was?

A. It was a round container, I



1
2 think about --

3 Q. I am sorry, I didn't hear that.

4 A. A round container.

5 Q. Okay, sort of the kind of
6 container that you get in convenience stores when you
7 buy cole slaw and potato salad and that sort of thing?

8 A. Yes.

9 Q. Okay. And you said to Mr. Lamek
10 the other day that you were quite sure when you left
11 to go set up the IV line that the pills weren't there
12 and that when you saw them in the salad that was the
13 first time you had seen them. You also indicated to
14 Mr. Hunt yesterday that it did occur to you at some
15 time later that the pills might have gotten there
16 during your absence from the station. Now, I would
17 like to ask you this. You obviously don't know who
18 put them there otherwise you would tell us but I
19 would just like to ask you, you didn't put them there,
20 did you?

21 A. No.

22 Q. All right. And on that
23 particular occasion, although you can't remember the
24 specific night in question, do you recall whether
25 Susan Nelles was at work that night?

A. She wasn't, no.



1

2

Q. She was not on?

3

A. No.

4

Q. And you have a clear recollection
of that?

5

A. Yes.

6

7

Q. Okay, fine. Now, as well I
would like to ask you just a few short questions
regarding the meeting at Liz Radojewski's house on
the night of March 23rd, 1981. At the time that you
first heard of that meeting I believe you indicated to
Mr. Lamek that you had received a telephone call at
home from Liz Radojewski and she informed you that
there would be a meeting and invited you to come?

8

9

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13

A. That's right.

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Q. Were you aware at that time when
she first invited you to the meeting who else would be
there?

17

A. She said most of the girls.

18

19

Q. And by that who did you take her
to mean, the girls on 4A/B?

20

A. Yes.

21

Q. So you expected that there would
be other nurses there on that evening?

22

A. Yes.

23

24

25

Q. And that they would be your



1

2

colleagues from work?

3

A. Yes.

4

Q. Okay. Do you recall if she said anything specific to you about why the meeting was called, what they wanted to talk about?

5

6

A. She just said that we're having a meeting and we're going to discuss recent events is all she said.

7

8

9

Q. Okay. Now, at that time did you direct your mind to what she meant by the words "recent events"?

10

11

12

A. I thought we were going to discuss Justin Cook.

13

14

Q. Okay. Did you think of anything else at the time when she said recent events?

15

16

A. No.

17

18

Q. Okay. Now, at the time that you received that phone call, that was after the Saturday, March 21st order that all the digoxin be locked up?

19

20

A. Yes.

21

22

Q. And you agree with me that when that happened that was something that was quite unusual and surprised you?

23

24

25

A. Yes.



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Q. And I believe you told Mr. Lamek
the other day that it did concern you?

4

A. Yes.

5

Q. And that you had been seeking
an explanation?

6

A. Yes.

7

Q. You had been asking people why?

8

A. Yes.

9

Q. And do I have it correctly that
you would have started to ask them why before that
meeting?

11

A. Yes.

12

Q. All right. And you also told us
the other day that there were certain explanations
which were given to you and you even speculated about
what some of the reasons might be. So, it was
obviously something that you were actively considering
and that was occupying your mind, correct?

13

14

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A. Yes.

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Q. All right. Now, do I take it
that that was also, when you were told to come into
the meeting, after the supervisors started to appear
on Ward 4A/B and administer all the drugs and do drug
checks?

23

24

25

A. Yes.



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Q. Okay. So, again, that was something that concerned you because it was something that was unusual?

5

A. That's right.

6

Q. Am I correct?

7

A. Yes.

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Q. And it was obviously after the death of Kevin Pacsai. And did you know at that time when you got the phone call from Mrs. Radojewski to come to the meeting that Pacsai had shown high dig. levels?

12

A. I am not quite sure.

13

14

Q. All right. It might have been that you learned that at the meeting?

15

A. It might have been, yes.

16

17

18

Q. All right. Did you have any knowledge before you went to the meeting at the time that you were asked to attend that there was going to be an inquest into the death of Kevin Pacsai?

19

A. No.

20

21

22

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Q. Okay, fine. Now, again, the call for the meeting took place at the very tail end of a nine month period in which you have already indicated that you did notice a discernible pattern that seemed strange to you, and what I am referring



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to there is a number of deaths, some of them
unexplained, occurring in the presence of one particu-
lar nursing team, occurring in the small hours of the
morning in a very narrow time band, so that when the
meeting was called it was against that background you
knew about that as well?

A. Yes.

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Q. Obviously. You have already

said you were thinking of the Justin Cook situation. Now, putting all of that together, putting all of that together, the nine month period in which you saw this somewhat uncanny phenomenon, if I can use that word, of the deaths occurring under the circumstances I have just indicated; Pacsai, and then Miller, and then Cook. About the same time as the Miller and Cook deaths, the supervisors are on the ward. You had been thinking of some or all of these things and you have all ready indicated that. When Liz Radojewski said "recent events" didn't you think just for a moment that the meeting could be tied in with all of those factors?

A. Could be.

Q. And when you finally got to the meeting, you indicated yesterday to Mr. Lamek, or I believe it may have been the day before, that you don't have any clear recollection, crystal clear recollections of the discussion, but I believe you told him that one of the things that was discussed was the high levels in Pacsai; do you recall saying that?

A. Yes.



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Q. And you remember Susan Nelles saying that she was quite sure that she had not done anything wrong, that she had checked the drug very carefully and had another nurse check it and she thought the right doses had been given and she was quite sure of that?

A. Yes.

Q. Now, you also said that it was at that meeting you thought that you may have been told by Liz Radojewski that you were not to come in to work on that Wednesday night shift?

A. Yes.

Q. And do you recall whether Liz said that only to you, or did she say that to other members of the team?

A. The other members of the team were already off until Sunday night.

Q. Yes. So they knew that they were not to come into work?

A. I think so, I don't know.

Q. And you had just heard about it?

A. Yes.

Q. But the one thing that seems clear is that everybody on that team was fixed with



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the knowledge by then that they were not to come into work.

MR. ROSENBERG: I don't think that's quite fair. I think --

MS. KITELY: I don't --

MR. ROSENBERG: Ms. Kitley brought up that it could have been either that night or the following day that Liz phoned up and said she was not to come in. I think that is quite over-stating it.

Q. In fairness let me clear that point up.

THE COMMISSIONER: Before you all get too excited about it, does it matter?

MR. BROWN: No. We have also heard evidence, I am confused whether the others were not to come into work on the Monday, or the Sunday, the Saturday night or on Wednesday, I don't know what Mr. Tobias is talking about, there are two distinct times.

Q. At the other meeting were the other members of the team already aware of the fact that - did you know if they were aware of it. Did you know whether they were aware that they were not to come in to work?



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A. Since they didn't come in to work on Saturday night I presume they were waiting for Liz to tell them whether they were to come back to work on Wednesday.

Q. But they knew that they hadn't to come into work on Sunday night that is obvious?

A. Yes.

Q. And that is about as far as you can take it?

A. Yes.

Q. Now in terms of your own knowledge, you have now - or Ms. Kitley has refreshed my memory, it may not have been at that meeting, it may have been the next day?

A. Yes.

Q. Again the knowledge that they were not to come in to work, the knowledge that you were not to come in to work when you finally got it, whenever the time was, that again is something unusual, is it not?

A. Yes.

Q. Now, do you recall whether at the meeting there was any suggestion by anyone, or any discussions started by anyone that all of these events; the oxygen being locked up, the supervisors



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being on the ward, being told not to come in to work, all of those recent events including the the high levels in Pacsai and the inquest into Pacsai, was there any discussion or any suggestion by anyone that somehow all of that was related back to the whole series of events; and by that I mean the strange deaths that had been occurring over the nine month period?

A. It is difficult to recall that because everyone had their own explanation, and we were very confused at that time.

Q. Did you make that connection at the meeting, to your recollection?

A. I don't recall.

Q. Do you recall if anybody else did?

A. No.

MR. TOBIAS: Those are all my questions. Thank you.

THE COMMISSIONER: Thank you. Mr. Shanahan.

CROSS-EXAMINATION BY MR. SHANAHAN:

Q. Good morning Mrs. Scott, my name is Shanahan and I act on behalf of the parents of two families, Lombardo and Dawson. I don't think



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for starters here that you had anything to do with the Lombardo, you really have no evidence to offer with respect to Lombardo at all, I think you were off duty completely at the time?

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A. Yes.

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Q. With respect to young Dawson though, you had a few comments to make to my friend. If I can just sum them up here, you gave that in evidence on Monday. If I can just look at that it might be the quickest way. Okay. It is contained Brother Counsel in Volume 118, page 6772. Mr. Lamek puts to you this question commencing at line 19, Mr. Commissioner:

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"Q. All right then the very next day after baby Taylor had died and Dawson had died and you were on duty on 4A when she died, although you were not assigned to care for that child that night. Prior to the night of her death, that's the night of July 27th to 28th, Mrs. Scott, prior to that had you had any contact with baby Dawson; she had been in the hospital since the 23rd of July.

A. I had looked after her before



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2

but not that night.

3

Q. Not I think within the forty-eight hours preceding her death?

4

5

A. No.

6

7

Q. All right. Do you have any recollection of the events leading up to her cardiac arrest and death in the early morning of July 28th.

8

9

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A. No, I don't think I was in room when she took a turn for the worse.

11

12

Q. Were you present at the resuscitation effort?

13

14

A. Yes."

15

The last question on that page is:

16

17

"Q. Fine. And no clear recollection I take it from what you have said of the child or of the circumstances of her death.

18

19

A. No."

20

I think that pretty fairly sums up your evidence with respect to Amber Dawson.

21

22

A. Yes.

23

Q. However, later you did say or conceded to Mr. Lamek that in fact you do recollect her name being brought up as you read

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ward meeting books and saw some of the meetings
that had taken place and questions that had been
put to a doctor by the name of Contreras; and
you did know, or you did pick up it seemed to me, that
there was an aura of doubt about the cause of her
death; am I right there?

A. Yes.

Q. As well as that ma'am, in
terms of your dealings with Amber Dawson, I
appreciate it was longer than forty-eight hours
before her death. But in the time period that you
did deal with Amber Dawson, do you now recollect
what her general condition was, or appeared to be
to you in terms of say her overall stability and
things of that nature, or do you just not recall?

A. Well, she was a very sick
baby. The only thing I could recall was she was
difficult to feed.

Q. Difficult to feed?

A. Yes.

Q. And do you recall that really
seemed to be part of the reason she was brought into
the hospital was an assessment, she was so grossly
underweight.

A. I guess failure to thrive



1

2

or something like that.

3

Q. Failure to thrive?

4

A. Yes.

5

Q. All right. Ma'am, you

6

suggested that one of the things that you recollected

7

about the disagreements between two nurses on the

8

4A team was you thought that one child's death,

9

as I get here, now, you thought that one child's

10

death had been a particular disagreement that really

11

sort of stood out in you mind, but you were not too

12

sure about the child's death. Could I suggest to

13

you that it was perhaps at the resuscitation effort,

and you were there, the resuscitation effort of

14

Amber Dawson.

15

A. No, I can't be sure.

16

Q. You can't be sure?

17

A. No.

18

Q. You can't be sure one way or

the other?

19

A. No.

20

Q. Can you even then tell us

21

whether it was sort of pre-Christmas, or was it

22

into the March time period around Hines, Pacsai

and that setup, do you even know that much.

23

A. I am afraid not.

24

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Q. You don't know?

A. No.

Q. All right then, leaving them aside. Ma'am, it struck me that by the end of August you had become aware in general of your concerns and others concerns about the large number of deaths. It seemed to me that although you were new in cardiology you didn't have a lot of figures to compare it to, but you had gathered, along with others, that there were more deaths than there usually are experienced?

A. Yes.

Q. So that was one thing you had generally seen; and you had seen the general observations that anyone could have made, that it was happening up there in infant cardiology, they were happening at night and the other features that you mentioned. You were vaguely aware that by August, am I right?

A. Yes.

Q. But it struck me as well that you observed two other factors which were really factors that any people who had worked right on the ward would realize. One was, as you pointed out to Mr. Lamek and Mr. Percival and others, that



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within your own personal system of care you were
picking up that another pattern was developing; and
that was stable before the break, stable after the
break, or shortly thereafter, and then a sudden
decline in these children and the pattern became
more around Estrella but even before Estrella you
were aware of that; am I right?

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Q. And then finally, ma'am, a second factor, a third factor if you like, with respect to what you and individuals right on the ward were seeing, quite apart from the larger number of deaths at night, it seemed to me that there was an association starting to develop not just with the team but also with Phyllis Trayner.

A. What do you mean?

Q. Well, all right. Let me put to you --

THE COMMISSIONER: I am sorry, what did you say?

THE WITNESS: Could you repeat?

MR. SHANAHAN: She said to me what did I mean and could I repeat it for her, and I will.

Q. Ma'am, first of all, if I just show you how you phrased it maybe it will just help you formulate it. Page 6791. I will start at the bottom of page 6790, ma'am, the very last line and a question is being put to you by Mr. Lamek. The question is:

"Q. By the end of August had it occurred to you that almost all of the deaths that had occurred when your



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"team had been on duty?

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A. Yes.

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Q. Was that a matter of some
discussion or comment among the nurses
on the floor?

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A. Yes.

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Q. What was being said about that?

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A. They just noticed they were
dying almost the same time and always
on our team.

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Q. Did anyone have any explanation
to offer, or explanation to advance,
as to why your team should be so
unfortunate as to have so many children
die?"

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Your answer is "No".

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"Q. You said a moment ago people
were remarking that it was about the
same time. Do I take it from that that
you were aware by the end of August
that of the 11 deaths that had occurred
since June 30th, I think 7 of them
had occurred in the middle of the
night, was that a matter that you had
observed?"

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2 Now this is the answer, ma'am, the feature that I
3 am going to put to you here. You said:

4 "A. I think when Phyllis came back
5 from her honeymoon that was, everybody
6 was aware because they made remarks
7 about, you know, your team, you are
8 getting a lot of bad luck when Phyllis
9 is on, so we were all aware of that.

10 Q. Said you were getting a lot of
11 bad luck when Phyllis was on?"

12 Your answer was:

13 "A. Yes.

14 Q. But she left for her honeymoon,
15 did she not, right at the end of
16 August, I think August 28th and she
17 was married August 29th."

18 "Yes" is your answer.

19 "Q. And didn't come back until the
20 third or fourth week in September?

21 A. Yes. They made that remark
22 when she came back and there were a
23 few deaths."

24 So it seemed to me, ma'am, that another
25 feature here, quite apart from this pattern of
stability before and after the break and then the



1
2 sudden decline, that those people that were directly
3 related to 4A and 4B long nights and the parallel
4 4A/4B long day shifts at that time were commenting
5 and relating the rise in deaths not just to the
6 team but to the association of one team member,
7 and that was Phyllis Trayner.

8 A. Yes.

9 Q. Sorry?

10 A. Yes.

11 Q. After all, as I looked at the
12 WIN sheets although you did have a fairly set team
13 of Nelles, Trayner, Christie and Scott, there were
14 obviously times, be it relief for holidays or days
15 off when the team would not be hard and fast and
16 you would be gone a day or two or other people would
17 be gone a day or two. Am I right?

18 A. Yes.

19 Q. But up to this point in time
20 no one has had a time period as long as almost a
21 month (some were slightly in excess of three weeks)
22 that Phyllis Trayner had had when she got married
23 and took her honeymoon? Am I right there?

24 A. Yes.

25 Q. And you had had a large increase
in deaths, as Mr. Lamek pointed out, a cluster of



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them, prior to her leaving, so it really became noteworthy when she left for the three weeks, four weeks, whatever, that that Hayworth child was the only child that died.

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A. Yes.

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Q. So things seemed to sort of get back to manageable - seemed to get back to normal during that three to four weeks.

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A. Yes.

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Q. All right. And you knew - I think Mr. Lamek told you that Hayworth was not a child, not been a child that anyone has felt was an high risk and as well was a child that I think you knew had a do not resuscitate order on her charts.

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A. Yes.

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Q. All right. So in your mind the child Hayworth dying, sad as it might be, wasn't something that was unexpected?

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A. No.

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Q. Obviously people, and her family and her doctors had put their mind to the very fact do we even use heroic measures to try to resuscitate her and they had decided not to. Is that right?

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A. Yes.

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Q. Ma'am, I suggest to you as

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well that this factor of association that you have

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mentioned and that had been picked up on, that in

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fact, ma'am, that carries right through December,

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January, into the turn of the new year and right out

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into March, and that in fact all those immediately

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affected nurses, 4A/4B long nights, 4A/4B long days,

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all of those nurses bear in mind the association

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in fact not just of one team to these deaths but

12

in fact the presence of that team leader, Phyllis

13

Trayner, to the deaths, and that be they accounted

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by bad luck or coincidence, her bad luck or by

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coincidence, still and all they do bear in mind

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these deaths are associated with Phyllis Trayner.

MR. ROSENBERG: Excuse me, Mr.

Commissioner.

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THE COMMISSIONER: Sorry?

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MR. ROSENBERG: I think Mr. Shanahan

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has got at least one answer in this area. He has

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now put it in terms of all the nurses on 4A/4B had

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a particular association and I am just wondering

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whether that is a particularly helpful way of getting

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this evidence assuming that it is helpful. It strikes

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me that there is no way that Mrs. Scott could

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possibly speak for all the nurses on 4A and 4B.

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THE COMMISSIONER: It would also seem to me that perhaps it is not so much his concern as it might be in Phase II. It is not a concern I wouldn't have thought, Mr. Shanahan, is it, of your clients? Perhaps I am not making myself clear.

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MR. SHANAHAN: No, no, my thought process is slow at this time of the morning. You made yourself clear. But I agree - I think yours has some merit but I think we have all got opinions.

THE COMMISSIONER: Yes.

MR. SHANAHAN: From Miss Coulson and other nurses what other nurses in the Hospital were seeing and feeling.

THE COMMISSIONER: Yes.

MR. SHANAHAN: If she was conversing she would know, but I accept the second ground, and I just leave that be.

THE COMMISSIONER: All right.

MR. SHANAHAN: Q. Finally, ma'am, with respect to that pattern that you saw with respect to stability, break, and then after the break the sudden decline, did other nurses advise you, specifically, for instance, Nurse Ganassin or Nurse Nelles who dealt with my children. Did



1
2 they ever say to you at any time that they too
3 perceived this pattern that gee whiz after my break
4 the children started to decline?

5 A. No.

6 Q. Or at least if they did they
7 didn't tell you?

8 A. No.

9 Q. And it seemed to me that you
10 didn't broadcast your observation at the time either,
11 did you?

12 A. No.

13 Q. All right.

14 Ma'am, after Susan Nelles' arrest
15 you have told us about certain incidents that
16 happened. By that time you knew at least about
17 a police theory that was in force; that is in fact
18 certain children may well have been murdered and
19 may have been murdered in fact by the use or the
20 administration of a dose of digoxin? You knew that?

21 A. Yes.

22 Q. And you knew as well who that
23 theory was being associated with at the time, and
24 that was being associated with Nurse Susan Nelles?

25 A. Yes.

Q. And then when you start to get



1
2 certain of these incidents, that is you hear - you
3 get telephone calls, your children advise you that
4 in fact they received telephone calls, you put that
5 down to the fact that as you see it these threats
6 are coming against the two remaining nurses on the
7 4A team. That was you and Phyllis Trayner?

8 A. Yes.

9 Q. The third full time nurse
10 being Susan Nelles has been arrested and charged?

11 A. Yes.

12 Q. You were satisfied that if
13 the police theory was correct that you shared with
14 them that it wasn't an RNA - you knew RNA's didn't
15 relieve on constant care and you had had some of
16 these children on constant care, and they didn't
17 relieve and they were also not allowed to administer
18 any drugs or be anywhere near an IV line. Am I
19 right?

20 A. Yes.

21 Q. So it seemed to you that some
22 party was threatening the remaining two nurses
23 being yourself and Trayner?

24 A. Yes.

25 Q. All right. I thought you said
or there seemed to be the general feeling that with



1
2 respect to the phone calls and the voice not coming
3 across to you and not speaking to you and if you
4 heard a voice you would know whether it was Susan
5 Nelles or not would you not? You would recognize
6 her voice?

7 A. Yes, I would, but she --

8 Q. But you were never given that
9 opportunity? When you would answer the phone no
10 one would speak? Am I right?

11 A. Not necessarily Susan Nelles.

12 Q. Well, no one would speak.
13 As I got it the only conversation and threats were
14 actually through your children?

15 A. Yes.

16 Q. Then a second turn of
17 incidents really started to become related right
18 to the Hospital. There is the incident then,
19 is there not, with Phyllis Trayner's car which is
20 on Hospital grounds. There is the incident with
21 your locker which is inside the Hospital and there
22 is the incident with the pills which is right up
23 on 4A at the very nursing station that we have all
24 heard about.

25 Am I right there?

A. Yes.



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Q. And whatever about Susan Nelles on the other incidents, that if Susan Nelles were to come in and be near the car that would be very daring; she could well be seen about there.

A. Yes.

Q. To come into the locker area would be even more daring, would it not?

A. Yes.

Q. And then finally to come up onto the floor, well, that to you was incredible and you didn't think Susan Nelles had come up onto the floor?

A. No.

Q. Your food had been put aside in a pantry right on the 4A nursing station? Am I right?

A. Yes.

Q. Ma'am, as you looked back on the incident afterwards and came back from the Toronto General Hospital (that is the pill incident) although it might have frightened you and caused you a great deal of inconvenience initially, as you looked back on it then did you come to the impression really it was a rather amateur... I won't finish here, obviously.

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MR. ROSENBERG: Well, I suppose I have two points. First of all, we were around this area yesterday and I thought we had resolved it. But again in terms of attempting to get Mrs. Scott's view as to the character of the person or the reason or motive for what's going on, in my submission, she's in no better position to make that kind of guess than yourself. In fact, I think you are in a far better position having heard all of the evidence, so, I don't think it is a proper question..

THE COMMISSIONER: That is more or less the view I took yesterday, Mr. Shanahan.

MR. SHANAHAN: I thought the view you took yesterday was that in fact you stopped Mr. Hunt from - I have no desire to transgress that - is that you were going to stop Mr. Hunt or anybody from really coming down to any sort of naming here in this sense and I was just trying to in general analyze the incident itself.

THE COMMISSIONER: Well, no, but surely I think Mr. Rosenberg's point is that the facts are there and that all you're asking, is there something else that you can bring out from Mrs. Scott that might help us reach the conclusion. But what she does with the facts can conceivably be important in the



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cr. ex. (Shanahan)

2 second phase but it is, it's not important in the
3 first phase, that's all.

4 MR. SHANAHAN: Fine.

5 THE COMMISSIONER: And the second phase
6 was left alone by...

7 MR. SHANAHAN: I have nothing new on
8 those facts, sir, it was just how she might organize
9 them or look at them.

10 Thank you, sir, thank you, ma'am, I have
11 no further questions.

12 THE COMMISSIONER: Thank you indeed.

13 MS. THOMSON: Mr. Commissioner, you
14 may remember that yesterday afternoon at the end of
15 the day Mr. Roland asked if he might have permission
16 to ask a question.

17 THE COMMISSIONER: Yes.

18 MS. THOMSON: So in his absence it
19 appears that I will ask the question.

20 THE COMMISSIONER: Will you ask it?

21 MS. THOMSON: Yes.

22 THE COMMISSIONER: Yes, good.

23 CROSS-EXAMINATION BY MS. THOMSON:

24 Q. Mrs. Scott, my name is Mary
25 Thomson and I appear on behalf of the Hospital for
Sick Children. Mr. Percival in his examination of you



1
2 yesterday drew your attention to the incident report
3 on Paul Murphy and the medication error that occurred
4 at that time. Now, you indicated yesterday afternoon,
5 indeed earlier I believe, that you hadn't seen this
6 incident report until your counsel brought it to your
7 attention relatively recently.

8 THE COMMISSIONER: That is 356, is it?

9 MS. THOMSON: 364, Mr. Commissioner.

10 THE COMMISSIONER: 364, all right.

11 MS. THOMSON: Q. Now, to be fair to
12 you, Mrs. Scott, Mrs. Radojewski has testified before
13 this commission that she doesn't recall having dis-
14 cussed the incident with you. I would like to also
15 draw your attention to Exhibit 365 which is an
16 incident report on Laurette Heyworth. Have you seen
17 that exhibit, Mrs. Scott?

18 A. Yes.

19 Q. Now, that was also an incident
20 that involved you and it involved an administration of
21 Lasix to the child Heyworth. At that time was the
22 incident discussed with you?

23 A. I remember the incident but
24 I haven't seen the incident report.

25 Q. But at the time that the
incident occurred, it was discussed with you by



1
2 Joan MacIntosh, I believe it was.

3 A. I told her what happened and she
4 filled in the incident report.

5 Q. Okay. It would seem that from
6 your testimony yesterday that part of your trouble in
7 the Murphy incident arose out of your newness
8 to pediatric cardiology and I think you mentioned
9 the minuteness of doses and the difficulties in
10 calculating those doses. Did members of your staff,
11 in particular your head nurse, take time to assist
12 you in coming to terms with the calculations of those
doses?

13 A. Yes.

14 Q. You recognized that you were
15 making errors and you found a more appropriate way
16 to calculate them.

17 A. They didn't really take the
18 trouble but when we calculated the doses together
19 with another nurse and we make a mistake in calcula-
tion, so we just corrected each other.

20 Q. And at that time had anybody on
21 your team or your head nurse indicated to you the
22 area of error you had in the calculations?

23 A. I don't recall.

24 Q. Okay. And I gather that since
25



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2 that time you have had no more incident reports that
3 have been brought to your attention and indeed you are
4 not aware that you have committed any more trans-
5 gressions.

6 A. No.

7 MS. THOMSON: Thank you, those are
8 all the questions I have.

9 THE COMMISSIONER: Thank you, Ms.
10 Thomson.

11 Mr. Rosenberg I guess. I don't think
12 there is anyone else.

13 RE-EXAMINATION BY MR. ROSENBERG:

14 Q. Mrs. Scott, I just want to go
15 through a couple of areas. First of all, you remember
16 Mr. Percival, the lawyer for the police, he asked you
17 about the fact that Phyllis Trayner had come into the
18 room, the Estrella room a couple of times and asked
19 you if you wanted to stretch your legs and you
20 indicated that she had never done that before when
21 you were on constant care. Do you recall that?

22 A. Yes.

23 Q. All right. First of all, prior
24 to the Estrella baby had you had anyone in constant
25 care in 423?

A. No.



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2 Q. And do I take it that usually the
3 babies who are on constant care are in 418?

4 A. Yes.

5 Q. All right. So, there are, in the
6 ordinary course there would be other nurses in 418
7 looking after the other babies?

8 A. Yes.

9 Q. All right. So, if you wanted to
10 stretch your legs and you were on constant care in 418
11 I take it you could ask the nurse who was in the room
12 to look after the baby while you stretched your legs.

13 A. Yes.

14 Q. All right. But in 423 someone would
15 have to come down to the room, there wouldn't
16 ordinarily be another nurse in the room, is that
17 right?

18 A. Yes.

19 Q. All right. Now, Mr. Percival
20 also asked you about this pattern. He suggested to
21 you that the first time - well, perhaps I will just
22 read the cross-examination. It is in Volume 119, page
23 7163, and I am reading about line 5.

24 Mr. Percival says:

25 "Q. Would it be fair to say that by
the end of January that you had noticed



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the pattern and you began to dread
going to lunch and coming back and
finding out how your babies were doing.

A. Yes.

Q. And when did you first mention
this pattern to anybody?"

THE COMMISSIONER: Just a moment,
something is happening. I just heard some kind of a
noise coming from it. Maybe I am the only person
who heard it. Maybe it's coming from mine, I don't
know. It's all right now. It has stopped, so, go
ahead. I am sorry I interrupted you.

MR. ROSENBERG: Okay.

THE COMMISSIONER: There is some kind
of a whine coming from one of these... I had better
go and see somebody about it.

MR. ROSENBERG: Q. I think where I
left off, your answer was:

"A. I was under the impression that
everybody knew about the pattern,
all the nurses, anyway.

Q. When did you first recall
mentioning that to anyone?

A. I don't recall mentioning it to
anyone.



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Q. So is it the first time when you
said it to Mr. Lamek here yesterday?

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A. Yes."

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Do you recall that exchange with Mr. Percival?

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A. Yes.

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Q. All right. Now, do you remember
being interviewed by the police about a number of the
babies including Charlon Gardner?

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A. Yes.

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Q. I am just going to read to you
from your statement to the police. First of all, do
you have any recollection as to what date that was
that you were interviewed?

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A. No.

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Q. In any event, the police
apparently were asking about Charlon Gardner and what
they have put down are your answers to their questions
and what you say is:

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"On duty, long nights, 17 March, 1981,

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4A. It's difficult to remember there
were so many - and they all died at the
same time. I really can't remember.

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All these babies are well and then we
go on our lunch break and then - I

23

can't remember."

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Do you recall saying that to the police?

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A. Yes.

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Q. Okay. So, when you said to Mr.

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Percival that the first time you had mentioned that

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pattern was to Mr. Lamek, in fact, you had

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mentioned it to the police at least a year ago,

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if not more.

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THE COMMISSIONER: Just a moment.

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Mr. Young?

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MR. YOUNG: Well, surely my friend

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isn't suggesting that saying, "I don't remember, it's

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difficult to recall," is informing the police about

a pattern.

14

MR. ROSENBERG: She says, "All these

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babies are well and then we go on our lunch break and

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then - I can't remember". Well, the end then is

obviously that they died.

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MR. YOUNG: Well, not necessarily.

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There may be many other things that transpired.

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THE COMMISSIONER: I don't think we

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need to worry too much about it. If you want further

cross-examination we can do it.

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MR. YOUNG: Well, I will wait to see what

happens.

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THE COMMISSIONER: But all you are really

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bringing to her attention is that she did say those words to the police, isn't that right?

MR. ROSENBERG: Yes, that's right.

THE COMMISSIONER: So, we can draw whatever conclusions we want to draw from that.

MR. ROSENBERG: Q. Finally, Mrs. Scott, I want to ask you about the Estrella baby again and the lunch break. Do you recall that Mrs. Christie's lawyer asked you about that lunch break and about how long it was and so on. What I want to do is go back to your testimony the first day and to what you told Mr. Lamek. First of all, just to sum it up, you told Mr. Lamek that you gave the dose of ampicillin at 1:30. Do you remember that?

A. Yes.

Q. Okay, and that you then took your lunch break after that; do you remember that?

A. Yes.

Q. Now, I am just going to read from page 6880, it is just a short passage and it is in Volume 118:

"Q. Do you recall what you were doing until 1:30?

A. I was reading a book and watching a film.



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Q. Do you recall what the film was?

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A. Yes.

4

Q. What was it?

5

A. "Sweet Charity".

6

Q. Was that on television?

7

A. Yes.

8

Q. Was there a television set in Room
423?

9

A. Yes."

10

Now, you told us that after your lunch break, after
Phyllis had returned to the nursing station and you had
gone back to the room you had continued to read your
book. Do you recall saying that?

11

12

13

A. Yes.

14

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Q. So obviously you had not finished
your book when you left for your break?

16

A. No.

17

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Q. For your lunch break. Now, what
I want to ask you is, do you recall one way or the other
whether the film had finished when you went for your
lunch break?

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A. I don't know. I remember I lost
interest in it.

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Q. In the film?

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A. Yes.

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Q. All right, okay. Now, when you returned from your lunch break do you recall whether the film was on?

A. I don't know.

Q. Do you recall whether the television was on?

A. I don't.

Q. Okay.

Now, Mr. Commissioner, the reason I have brought that up at this point is because I have discovered an error in the TV Guide. I know it hasn't been entered as an exhibit but so there would be no misunderstanding as to the timing, the information in the TV Guide is that the movie started at 11:30 and ended at 1:30. My information from the station itself is that the movie did not end until 2:00. So, there is an error in the TV Guide. So, I just thought so that no one is under any misapprehension.

THE COMMISSIONER: But it doesn't affect I guess Mrs. Scott's evidence because as a film critic she didn't think much of it.

MR. TOBIAS: Was the TV Guide not entered as an exhibit?

MR. ROSENBERG: No, it wasn't.

MR. TOBIAS: I thought Mr. Percival had



1
2 entered the Starweek for March 21st as an exhibit.

3 MR. ROSENBERG: Yes, but this is January.

4 MR. TOBIAS: I am sorry, I wasn't pay-
5 ing attention.

6 THE COMMISSIONER: Well, the fact that
7 the film may have ended at 2 instead of 1:30 doesn't
8 make any difference to your testimony.

9 THE WITNESS: No.

10 THE COMMISSIONER: As to when you went
11 out and when you came back, is that right?

12 THE WITNESS: Yes.

13 THE COMMISSIONER: All right.

14 MR. ROSENBERG: Q. Just to follow up
15 on that. Do you recall giving the dose at 1:30?

16 A. Yes.

17 Q. You are certain about that time
18 I take it because you wrote it in.

19 A. Yes.

20 Q. Okay, it wasn't a set time.

21 A. No.

22 Q. All right. Now, what would you have
23 done after you gave that 1:30 dose - or not what you
24 would have done, what did you do after giving the
25 1:30 dose?

A. I decided to take my break and



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I went out and I put the medication cart back in the medication room and threw away the syringe in the medication room and then I went to the bathroom and then I went and got my lunch out of the fridge and made myself a cup of coffee.

Q. And then I take it you sat down and had your lunch?

A. Yes, I sat down at a table in the nursing station.

Q. Okay. Now, you have told us that you took the 2:00 signs, is that still your recollection?

A. Yes.

Q. All right. Do you recall how long you were in the room before Janice Estrella turned bad, turned wrong?

A. Well, I had taken the signs and I had changed her Pampers and then I sat down and read my book.

Q. All right. That's what you did. Do you recall how long it was before you noticed the change in her, what was her respiration?

A. More than half an hour.

Q. More than half an hour?

A. Yes, about half an hour or more. She wasn't due for a feed.



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Q. Okay. Finally, Mr. Shanahan and other lawyers have asked you about opinions of other nurses on the team and what other nurses were thinking about various things and I just want to, just so we have that in context, did you socialize very much with the nurses on 4A and 4B?

A. Outside working hours?

Q. Outside working hours.

A. No.

Q. So, you have as we know, you have two children who are now, what, teenagers?

A. Yes.



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Q. But essentially you were working then going home to take care of the kids?

A. Yes.

MR. ROSENBERG: All right.

THE COMMISSIONER: Thank you.

Mr. Lamek.

RE-DIRECT EXAMINATION BY MR. LAMEK:

Q. Mrs. Scott, just a few matters that I want to try to clarify for myself. It first rises out of something which Mr. Rosenberg just raised with you. You recall that yesterday Mr. Rosenberg and Ms. Jackman referred to the evidence of other nurses at the Preliminary Inquiry, and in particular to the evidence of Mrs. Trayner, Miss Parcels and Mrs. Christie. In fact they suggested that you had not taken a proper full lunch break on the long night shift of January 10th to 11th. This reference is in yesterday's transcript, Mr. Commissioner, for Mr. Rosenberg at pages 7009-7010; and for Ms. Jackman at pages 7177-7188. Do you recall being referred to evidence by those people whose impression at least, or evidence, had been that you were not out of Room 423 for anything like half an hour that night, indeed you were out a much shorter time? Mrs. Trayner's evidence was you hadn't taken a lunch break; do you remember



1
2 being referred to that evidence yesterday?

3 A. Yes.

4 Q. And your response, as I under-
5 stood you, was that indeed you had taken a lunch
6 break, it had not been the full 45 minutes for the
7 reason which you explained, you were out of the room
8 for about half an hour, do I have your answer
correctly?

9 A. Yes.

10 Q. Now in light of what Mr.
11 Rosenberg has put to you this morning about the time
12 at which the movie ended.

13 A. Yes.

14 Q. And your uncertainty as to
15 whether you watched the movie until the end.

16 A. No, I didn't watch it until the
17 end.

18 Q. You did not watch it until the
19 end?

20 A. No.

21 Q. You are now sure you did not
22 watch it until the end?

23 A. Yes, because I wasn't interested
24 in it.

25 Q. And is it still then your



1

2

recollection that you went on your lunch break at
about 1:30 after having given the dose of ampicillin
at that time?

4

A. Yes.

5

6

Q. And your recollection is clear
on that point?

7

A. Yes.

8

9

Q. Had your coffee break that night
been of the normal 20 to 30 minutes in length?

10

A. Yes.

11

12

Q. You told us that Mrs. Trayner
had relieved you for that break as well?

13

A. Yes.

14

15

Q. You said that to a couple of
people. Again, did Mrs. Trayner come up to the nursing
station during your coffee break?

16

A. No.

17

18

19

Q. Is it your clear recollection
that you took that coffee break in the normal way and
went back to Room 423 and Mrs. Trayner was in that
room when you returned to it?

20

A. Yes.

21

22

23

24

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Q. If I understand all of your
evidence over the past two days correctly then, were
you and Mrs. Trayner together at the nursing station



1
2 at any time during the long night shift January 10th
3 to 11th prior to the arrest of the baby, other than at
4 approximately 2 o'clock in the morning when she came
5 out and you went back in to 423?

6 A. No.

7 Q. That was the only occasion?

8 A. Yes..

9 Q. And from your evidence it was
10 a brief occasion of two or three minutes while you
11 registered your own unease, poured a cup of coffee,
and went back?

12 A. Yes.

13 Q. Yesterday Mr. Roland who you
14 remember is Counsel for the Hospital, asked you about
15 Baby Dawson. This, Mr. Commissioner, is found at
16 page 7126-7127 of yesterday's transcript. You may
17 remember, Mrs. Scott, that you had looked with me on
18 Monday at the communications book for Ward 4A, and I
19 had referred you to a note on page 5 of that book
20 which seems to suggest that as at July 31st there was
21 some surprise about the cause of Amber Dawson's death
and still some mystery about the cause of death; do
you remember my pointing that note out to you?

22 A. Yes.

23 Q. And Mr. Roland yesterday referred
24
25



1
2 you to the next page of the communications book, page
3 6, to the note at the top under the date of August
4 8th, 1980, which reads:

5 "Amber Dawson: post mortem showed
6 abscess on diaphragm. The Coroner
7 has told mom about this and that it
8 would be difficult to diagnose even
9 with X-ray. The full report is to
follow in two months' time."

10 Do you remember Mr. Roland directing
11 you to that note yesterday?

12 A. Yes.

13 Q. I think he asked you whether
14 you had seen that note and you couldn't recall whether
15 you had. But he suggested to you that if indeed you
16 had seen it that would have allayed any concerns you
17 might have had about the cause of Amber Dawson's death
and you agreed.

18 A. Yes.

19 Q. Can you tell me, Mrs. Scott, why
20 the report of an abscess on the diaphragm of Baby
21 Dawson would have satisfied you as to the cause of
22 that child's death? How would that explain the child's
death for you?

23 A. Well I just accepted the
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explanation.

Q. Did you regard that note as being an explanation?

A. Yes. They said they are going to have a full report later on so I was waiting for the full report.

Q. Are you now telling me then that that note alone did not answer any questions that you may have had about the cause of death of Amber Dawson?

A. Yes.

Q. You were waiting for the full report?

A. Yes.

Q. Indeed if we can look at Amber Dawson's chart, Mrs. Scott, and I will ask the Registrar to put it before you. Do you now have that, Mrs. Scott?

A. Yes.

Q. Beginning at page 59 is the report of the post mortem examination that was conducted under The Coroner's Act, do you see that?

A. Yes.

Q. At page 61 at the top there is reference to a recent perforation of the stomach, do you see that:



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"Oesophagus no abnormality. The stomach is contracted. The lateral aspect of the cardio stomach contents shows a 1x1.5 centimetre area of recent perforation."

And indeed if you look at page 63 on the lower half of the page under the heading "Cause of Death", the pathologist reports, does he not:

"The immediate anatomical cause of death not determined."

A. Yes.

Q. And that is October 3rd, 1980, the date at the foot of that page.

A. Well, I didn't see this report of the post mortem.

Q. What I am suggesting to you, Mrs. Scott, is if the pathologist after conducting a full autopsy, and with full knowledge of abscesses and perforations, still didn't know what the anatomical cause of death was, you could not reasonably have known when you looked at that note on August 6th, or whenever it was, could you?

A. No.

Q. And seen a note about an abscess on the diaphragm?



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A. No.

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A. Not fully answered.

8

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Q. Was your question or concern
ever fully answered as to the cause of Amber Dawson's
death?

11

A. I don't think so.

12

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Q. When Mr. Percival asked you
questions, and I am sure you remember that; I am
referring here, Mr. Commissioner, particularly to
pages 7142 to 7144. You told him, Mrs. Scott, that
during the nine month period from July 1980 until
March 1981 you and other nurses on the 4A and 4B
from time to time would discuss the quality of the
lives that lay ahead for your small patients; do you
remember telling him that?

20

A. Yes.

21

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Q. And you told him that you
sometimes said to each other that if a child was very
sick it might be better for the parents if the child
just died; do you remember telling him that?



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A. A natural death.

3

Q. A natural death, of course.

4

Mrs. Scott, do you recall there ever having been any talk of the morality of deliberately bringing an end to the life of a very sick baby?

5

6

A. No.

7

8

Q. Did discussions of the kind you described to Mr. Percival take place only during the nine month period from July 1980 to March 1981, do you recall any such discussions between February 1980 and June 1980 when you first joined that floor, or that service?

9

10

11

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A. I don't recall at what point in time we discussed it.

14

15

Q. Do you recall any such discussion since March of 1981 right up to the present day?

16

17

A. Yes.

18

19

Q. The discussions that you described to Mr. Percival were not restricted to the nine month period in which we are interested I take it?

20

21

A. No.

22

23

Q. You also told Mr. Percival; and this is page 7172, sir; you also told Mr. Percival that although you never asked to be assigned to

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another nursing team, you were not very happy about being on the team that you were on and indeed you would have liked to be switched to another team; do you remember telling him that?

6

A. Yes.

7

Q. But you didn't make the request, you didn't raise the issue?

8

A. No.

9

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Q. Did you learn at some time during the fall or the winter of 1980 that consideration was being given to splitting up Phyllis Trayner's nursing team?

13

A. At the end of September?

14

15

Q. No, no, during the fall or the winter, or at any time indeed during the period in which we are interested.

16

A. Yes.

17

18

Q. You heard some discussion of that, did you?

19

A. Yes.

20

Q. Do you recall when that matter was being discussed?

21

22

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A. I don't recall it but I think a lady doctor first suggested that perhaps we should split our team because we were under so much stress,



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but I can't tell you what time that she said that.

3

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Q. You can't tell me just when she
said it?

5

A. No.

6

Q. Can you tell me who that was,
other than a female doctor?

7

8

A. Oh, she has returned to the
States.

9

10

Q. She has returned to the States?

11

A. Yes.

12

Q. If I said Dr. Heibut?

13

A. It could be.

14

Q. Do you know Dr. Heibut?

15

A. Yes.

16

Q. Did she tell you that there was
some discussion of the proposal of splitting up the
team, or was that something that she suggested herself?

17

18

A. I think at the nursing station
they were just talking and she just brought up the
subject, to no one in particular, just to the group.

19

20

Q. I am sorry, I missed your last
bit.

21

22

A. To no one in particular, to the
group sitting down.

23

24

Q. What, as a sort of suggestion it

25



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might be as well for you people if this team was split
up because of all the stress you are under?

3

4

A. Yes.

5

6

Q. Other than that, were you aware
of any other discussion about the possibility of
splitting up the team, for that or any other reason?

7

8

A. I could have, but I can't
recall.

9

10

Q. You can't now recall?

A. No.

11

12

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Q. One final matter if I may.
Mr. Tobias this morning in his continued examination
of you, Mrs. Scott, asked you whether it was unusual
to find a team leader from one side of the cardiology
ward over on the other side, and you told him, no,
that was not particularly unusual.

16

A. That's right.

17

18

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Q. That the team leader from 4A
might well go over to 4B to have a look at children
over there and find out what was going on, that she
had some measure of responsibility. And similarly
a 4B team leader might go over to 4A?

22

A. Yes.

23

Q. That was not unusual you say?

24

A. No.

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Q. If a nurse from let us say 4A were relieving on 4B, I take it it would not be unusual again for the 4A team leader to go across during the course of the shift to see how her team member was doing on that side of the ward?

A. No.

Q. If it was a night shift she might go over a couple of times and have a chat with her I take it?

A. Yes.

Q. That would be a perfectly normal thing to do, wouldn't it?

A. Yes.

Q. And similarly if a 4B nurse were relieving on your side it wouldn't surprise you to see Bertha Bell or the team leader coming over and chat with her team member on 4A, would it?

A. No.

Q. So it is not unusual to see the team leader on the other side of the ward at any time?

A. No.

Q. I take it it is even less unusual to see a team leader over on the other side that a member of her own team is relieving on the other side, is that correct?



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2

A. Yes.

3

MR. LAMEK: Mrs. Scott, that is all
I have. Thank you very much indeed.

4

5

THE COMMISSIONER: Thank you, Mrs.
Scott.

6

--- Witness withdraws

7

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THE COMMISSIONER: I think - would
it be wise Miss Cronk do you think to take our break
now?

9

10

MS. CRONK: Yes, take our break now
and then start.

11

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THE COMMISSIONER: All right, we will
take 20 minutes then and start after the break.

13

--- Short recess

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---On resuming.

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THE COMMISSIONER: Yes, Miss Cronk?

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MS. CRONK: Yes, sir. Our next witness is Mrs. Marianna Christie and I would ask her to come forward.

6

MARIANNA CHRISTIE, sworn.

7

DIRECT EXAMINATION BY MS. CRONK:

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Q. We have on occasion had this difficulty before, and I am not suggesting that it will happen here, but I would ask you if you could in answering the various questions that I am going to put to you to try to lean forward and speak into the microphone and we will see if it is suitable as we go along.

As I understand it, Mrs. Christie, you came to Canada in 1951 from England; is that correct?

17

A. Right.

18

19

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21

22

Q. And you worked for a period of time as I understand it at the T. Eaton Company here in Toronto and then in 1957 you took a one year registered nursing assistant's course here in Toronto, sponsored by the Ontario Government at that time. Is that correct?

23

A. Correct.

24

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Q. In January, 1960 you graduated with a diploma from that course - am I right?

A. Right.

Q. In the same month and year (that is January, 1960) you began work at the Hospital for Sick Children as a registered nursing assistant?

A. Correct.

Q. Can you tell me, please, to what ward you were assigned when you commenced your employment at the Hospital for Sick Children?

A. At that time I had been assigned to Ward 5B which was a surgical floor for boys 5 to 15 years of age.

Q. And were there heart patients on that floor as well?

A. Well, that is right.

Q. And then as I understand it you remained on that ward for the next ten years until in approximately 1970 the hospital decided to create a special ward devoted solely to cardiac or heart patients. Is that correct?

A. Correct.

Q. And in 1970 were you reassigned to that ward, that is Ward 5A, the ward devoted to cardiac patients?



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A. Right.

3

Q. Did you work on that ward, that

4

is Ward 5A, until the end of March, 1980?

5

A. Right.

6

Q. And again was that in the posi-

7

tion of a registered nursing assistant throughout the
entire ten years?

8

A. Yes.

9

Q. We have heard from other witnesses

10

that at the beginning of April, 1980, the cardiac

11

wards were relocated to Wards 4A and 4B. As I under-

12

stand it on the transfer of the unit you were trans-

13

ferred to Ward 4A. Is that correct?

14

A. Correct.

15

Q. Again in the position of a

registered nursing assistant?

16

A. Right.

17

Q. And were you assigned at that

18

time, that is the beginning of April, 1980, to a

19

particular nursing team?

20

A. Yes, to Mrs. Phyllis Trayner's

team.

21

Q. Did you continue to work on

22

Ward 4A as a member of Mrs. Trayner's nursing team

23

throughout the period July, 1980, through to the end

24

25



1

2

of March, 1981?

3

A. Right.

4

Q. Are you still employed by the
Hospital for Sick Children today?

5

A. Yes, I am.

6

7

Q. On what ward are you currently
working?

8

A. On Ward 4A.

9

10

Q. And have you worked on that ward
since March, 1981?

11

A. Right.

12

Q. Again as a registered nursing
assistant?

13

A. Right.

14

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A. Right.

21

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Q. In fact you are about to celebrate
a 25th year anniversary come January, 1985.

23

A. Right.

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A. Right.

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Q. And in that period of time, again
as I calculate it, you worked for over 14 years on a
ward or wards devoted exclusively to the care of
pediatric cardiac patients. Is that right?

6

A. Yes.

7

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9

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Q. While you were on Ward 5A, Mrs.
Christie, that is before relocation of the cardiology
unit to Wards 4A and 4B, did you have occasion to work
with Mrs. Trayner, then known as Ms. Moran?

11

A. Yes, I did.

12

13

Q. Were you assigned to a team of
which she was a member at that time?

14

A. Not on her team. I belonged to
another team before.

15

16

Q. Whose team were you on in March
of 1980?

17

18

A. In 1980 Mrs. Trayner's team, that's
right.

19

20

Q. I'm sorry. Before the relocation
of the unit to Wards 4A, 4B, while you were still
working on 5A, whose team were you on?

21

22

A. A Mrs. Nicholson.

23

24

25

Q. And while you were still on Ward
5A before the relocation did you as well have occasion



1

2

to work from time to time with Mrs. Scott, Sui Scott?

3

A. Yes. Sui Scott came to work to
us in February, 1980.

4

5

Q. And after she arrived did you work
with her from time to time?

6

7

A. Yes, I did.

8

9

Q. And similarly did you have occasion
on Ward 5A to work from time to time with Miss Susan
Nelles?

10

A. Yes.

11

12

Q. After she arrived at the
hospital?

13

A. Yes, I did.

14

15

Q. Were either of those two women,
that is Miss Nelles or Mrs. Scott, members of Ms.
Nicholson's nursing team?

16

17

A. Miss Nelles, yes, but Mrs.
Scott, no, she didn't belong to that team.

18

19

Q. Do I have it then that for a
period of time on Ward 5A you were on the same team
as Susan Nelles?

20

21

A. Right.

22

23

24

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Q. This commission as you know,
Mrs. Christie, is concerned with a specific period of
time (that is July, 1980 through to the end of March,



1
2 1981) and it is concerned as well with the deaths of
3 some 36 children that occurred during that nine month
4 period of time.

5 I have a number of questions for you
6 concerning specific children, but first there are a
7 number of general matters I hope you can assist us
8 with.

9 A. Yes.

10 Q. Dealing first, Mrs. Christie,
11 with the type of patients that were assigned and cared
12 for on Wards 4A and 4B we have heard that as a
13 normal or routine matter the sicker infants were
14 assigned to Room 418 on Ward 4A space permitting. Does
15 that accord with your recollection?

16 A. That's right, yes.

17 Q. As a registered nursing assistant
18 would you frequently be assigned to the care of the
19 patients in Room 418 on Ward 4A?

20 A. Sometimes.

21 Q. Was that a frequent occurrence?

22 A. Very seldom but sometimes I did.

23 Q. Normally speaking were the
24 registered nurses as distinct from the registered
25 nursing assistants assigned in your experience to the
26 care of the patients in Room 418 generally speaking?



1
2 A. No, generally it would be an RN
3 looking after those patients in 418.

4 MS. CRONK: I think that is the answer
5 but it may have been the wrong question. I think I am
6 clear.

7 THE COMMISSIONER: Yes.

8 MS. CRONK: On occasion, however, you have
9 told us that as a registered nursing assistant you
10 would be assigned to that room.

11 A. Sometimes, yes.

12 Q. And on occasion do I have it
13 correct that you would be asked to serve as part of
14 the relief nursing staff to another ward in the
15 hospital?

16 A. Right.

17 Q. And on occasion would you be
18 asked to serve as a relief registered nursing assistant
19 on Ward 4B?

20 A. Yes.

21 Q. Would it be fair to suggest,
22 however, that during this nine month period of time
23 the majority of the shifts which you worked were
24 worked on 4A as distinct from 4B?

25 A. Yes.

Q. Are you familiar, Mrs. Christie,



1

2

with the concept of constant nursing care?

3

A. Yes.

4

Q. What does it mean to you?

5

A. Constant nursing care means to look after just one patient, observe that patient very closely and be with them all the time.

6

7

Q. Are you familiar as well with the term shared nursing care?

8

9

A. Yes. Shared nursing care means that you look after that particular patient, plus you can have another patient which is not too sick.

10

11

Q. In your 24 years of experience at the Hospital for Sick Children have you as a registered nursing assistant ever been assigned to constant nursing care duties?

12

13

14

A. No, I haven't.

15

16

Q. Similarly in your experience have you ever been assigned as a registered nursing assistant to shared nursing care duties?

17

18

A. No, I didn't.

19

20

Q. On the cardiac Wards 4A and 4B in your experience, would it be unusual to see a registered nursing assistant assigned to duties of either of those types?

21

22

A. Right.

23

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Q. We have heard, Mrs. Christie, that on Wards 4A and 4B when a nurse assigned to constant nursing care duties or shared nursing care duties wished to take one of her formal breaks, if I can describe them that way, be it a coffee break or a lunch break during the course of her shift, that she was required to be relieved specifically before she could take that break.

In your experience again on Wards 4A and 4B did registered nursing assistants commonly relieve nurses who had been assigned to constant nursing care or shared nursing care duties?

A. I think some of them did but that shouldn't be. It should be always an RN relieving another RN on constant care.

Q. All right. So that we are clear about it, I take it there would be occasions during a shift when, for example, a nurse who was on constant nursing care might wish to pop out of a patient's room for a moment or two, be it to go to the washroom, perhaps to make a phone call or to fetch a newspaper, and in those situations would it be at all unusual or would it be quite common for a registered nursing assistant to step in and take care of the patient for those few minutes?



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A. Probably she could stay for a few minutes.

Q. And did that in your experience happen?

A. Not that I have seen on my team, on the team which I worked, no.

Q. You don't recall if that ever happened?

A. No.

Q. But there would be nothing unusual if that happened?

A. No.

Q. Then if we come to the periods of times that were fixed breaks for nurses assigned to those duties: for example, if a constant care nurse wished to take a lunch break for some 45 minutes or longer, in those situations I take it it would be unusual in your experience for a registered nursing assistant to relieve her.

A. Right.

Q. In your experience on the cardiac wards at the Hospital for Sick Children did you ever relieve, be it for a long break or a short period of time, a constant nursing care nurse when she left the patient's room?



Christie
dr. ex. (Cronk)

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A. No, I didn't.

3

Q. That never happened?

4

A. No.

5

Q. Similarly at any time during your

6

experience on those two wards did you ever relieve

7

either for a short period of time or a longer period

8

of time a registered nurse who had been assigned to

shared nursing care duties?

9

A. Not that I can recall.

10

Q. All right. We have also heard

11

that registered nursing assistants on those two wards,

12

Mrs. Christie, during this nine month period were not

13

permitted nor authorized to administer medications to

patients on the wards.

14

Does that accord with your understand-

15

ing of the procedures and the rules that were in place

16

during this nine month period?

17

A. That's right.

18

Q. Did you as a registered nursing

19

assistant on any occasion that you can now recall dur-

20

ing that nine month period administer a medication to

any patient on either ward?

21

A. No, I did not.

22

Q. Did you at any time during that

23

nine month period at any time you can now recall observe

24

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12



1
2 another registered nursing assistant administering
3 a medication of any kind to any patient?

4 A. No, I didn't.

5 Q. That would be something I take it
6 that you would regard as most unusual?

7 A. Right.

8 Q. If it had happened.

9 A. Right.

10 Q. If any of your own patients, Mrs.
11 Christie, during one of your shifts required medica-
12 tions to be administered, who would in the normal course
13 of events administer your medications?

14 A. Always a team leader.

15 Q. The team leader in the case of
16 your team was Mrs. Trayner?

17 A. Right.

18 Q. If Mrs. Trayner was not available
19 or did not for any reason happen to be on duty at that
20 time could another registered nurse administer your
21 medications?

22 A. Yes, whoever was in charge.

23 Q. So it would be the nurse in
24 charge?

25 A. Right.

Q. Whether or not she was a full time



Christie
dr. ex. (Cronk)

1

2

team leader?

3

A. Right.

4

Q. We have heard as well about a

5

number of books that were maintained on Wards 4A and

6

4B for communication purposes, and specifically that

7

there was a formal book called a Ward 4A Communications

8

Book and as well a formal book called a Ward 4A Meeting

9

Book that were kept in those wards.

10

As part of your normal practice, Mrs.

11

Christie, would you from time to time review the

12

Ward 4A Meeting Book to determine what was happening

13

on the wards and what had been recorded for the

attention of the staff?

14

A. Yes, I did.

15

Q. Did you do that routinely?

16

A. Not all the time, but whenever I
could I did, yes.

17

Q. You tried to do that as often as

18

you could?

19

A. Yes.

20

Q. And similarly would you as often

21

as you could review the 4A Communication Book?

22

A. Right.

23

Q. Did you similarly review the

24

Ward 4B Meeting Book or Communications Book?

25



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A. Not really, no.

Q. I take it that that would not be something that you would attempt in the ordinary course of events to do?

A. Right.

Q. I would like to turn now, Mrs. Christie, to the particular children who died on these wards during this nine month period. We have had marked Exhibit 337 before the commission a sketch of the layout of the two wards during this nine month period. If at any time it is helpful for you to refer to it, please feel free to do so.

We know, Mrs. Christie, that there were at the end of June and the beginning of July, 1980, three deaths in these wards: Laura Woodcock died on June 30th, Alan Perreault on July 8th and Andrew Bilodeau on July 22nd, at approximately 2:00 in the morning.

As I understand it you were on holidays or on sick leave from the hospital during the period June 23rd to July 21st inclusive; is that correct?

A. Correct.

MS. CRONK: Mr. Registrar, could you provide the witness if you would, please, with Exhibit 335 (which are the WIN sheets for Ward 4A,



16
1
2 Mrs. Christie) and also Exhibit 32A, please?

3 Q. I would ask you to look at the
4 WIN sheets while the Registrar is getting the other
5 exhibit for you, Mrs. Christie. As I read them you came
6 in to duty from holiday for the first time on July
7 22nd and that was on long nights. Do I have that
8 correctly?

9 A. Right. The 22nd, yes.

10 Q. And having regard to the period
11 of time during which you were absent you were not
12 then on duty for the deaths of Laura Woodcock, Alan
13 Perreault or Andrew Bilodeau. Do you, however, recall
14 when you came in to duty on July 22nd being informed
15 that those children had died?

16 A. I am not sure. Not at that time.

17 Q. Do you recall?

18 A. No, I don't recall.

19 Q. Do you recall any discussion when
20 you returned to work amongst any of the nurses or any
21 of the physicians attached to those wards concerning
22 the death of those children or the manner in which
23 they had died?

24 A. No, I don't recall.

25 Q. Do you recall any - you don't
recall one way or the other?



Christie
dr. ex. (Cronk)

1

2

A. No.

3

Q. I take it then you do not recall

4

whether or not any views were expressed by anyone in

5

your presence or of which you became aware as to

6

whether or not their deaths were regarded as being

7

expected or unexpected?

8

A. I don't recall.

9

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Q. And we look then at the case of David Taylor. This child died on July 27th, 1980, some five days after you had returned to work. He died at approximately 2:00 o'clock in the morning. And as I understand it you worked long nights on July 26th, the night that he died but you were relieving that evening on another floor. Do I have that correct?

A. That's correct. On 5C.

Q. I'm sorry?

A. On 5C, ward 5C.

Q. Ward 5C?

A. Right.

Q. Taylor in any event we know was a patient on ward 4B. Would you in the normal situation, Mrs. Christie, when you reported for work for a long night shift come up to ward 4A and learn at that time whether or not you had been assigned to relieve on another floor or in another ward?

A. I would find out when I came to work at that time about 7:00 o'clock that I had to go relieving?

Q. Do you recall at any time during the long night shift on July 26th having been



1

2

been on ward 4B, that's the night that David Taylor
died?

3

4

A. July 26th. Maybe I came for a
break, could be, but I'm not sure.

5

6

Q. Well, when you were serving
as relief on other wards, was it your practice to
come back to your own floor for your breaks?

7

8

A. Sometimes, yes, but not always.

9

10

Q. All right. Do you recall in
this instance whether or not you did so?

11

A. I don't recall.

12

13

14

15

16

17

Q. As I read the WIN sheets,
although you did not work on ward 4A or 4B the night
of this child's death, you did work the night of
July 28th, again working a long night shift, and this
time you had patients on both ward 4A and 4B, is
that correct? It may assist you to see the assign-
ment books.

18

A. July 28th I was not.

19

Q. You were not working?

20

A. No, I had been off both days,
I wasn't on.

21

22

MS. CRONK: Could we see exhibit
32c, Mr. Registrar, please.

23

24

25

Q. I'm sorry, Mrs. Christie, you

G2



1
2 are quite right, I referred you to the wrong evening,
3 it should have been the night of July 27th. You will
4 recall that David Taylor died in the early hours of
5 the morning on July 27th. As I understand it you
6 came in that night and worked long nights this time
7 on wards 4A and 4B. Do I have that correctly?

8 A. July 27th I went to 5C, that's
9 what I have been relieving on that particular night.

10 Q. All right. The book that has
11 been put in front of you is exhibit 32c. Could I
12 ask you to turn to tab 89, and you will see there
13 that that's one of the assignment books for ward
14 4A and it's the one that applies to this period of
15 time, Mrs. Christie. I would ask you to turn to
16 first of all page 59.

17 A. Yes.

18 Q. Now, on page 59 on your copy
19 the date is somewhat difficult to read but I can tell
20 you that this page includes the long night nursing
21 assignments for the night of July 26th, that's the
22 night that David Taylor died and it appears as you
23 have suggested that on that night you were working
24 as a relief nurse on ward 5C. Am I reading that
25 correctly?

A. Yes.



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Q. I take it you have seen these assignment books on many occasions, Mrs. Christie, because you would have to, when you reported for work, look at them to determine which patients you had been assigned to, is that right?

A. Right.

Q. Could I ask you to turn now to the next page, please, page 60 and 61.

A. Yes.

Q. On these pages are set out the long night nursing assignments for the next night, that is Sunday, July 27th and according to the assignment book you had two patients in room 426, that's on ward 4A, am I right?

A. Right.

Q. You had one patient in room 423 which is on ward 4A?

A. Correct.

Q. And you were also sharing on ward 4B, is that correct?

A. That's correct.

Q. So it appears, does it not, Mrs. Christie, that the night of the day that David Taylor died you did come back in and you were working this time on both wards 4A and 4B. Do I have that



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correct?

A. That's right, yes.

Q. During the course of that night, bearing in mind that the child had died earlier, much earlier that day, was there any discussion that you now recall amongst any of the nurses either on ward 4A or 4B regarding the fact that that child had died?

A. I don't recall any discussions, no.

Q. Do you recall now whether or not the nurses on ward 4B, who I take it you would have seen from time to time because you were working on that side of the floor as well.

A. Right.

Q. Mention to you the fact that a patient had died on the previous night's shift.

A. Not that I remember.

Q. All right. Could I ask you then to consider the death of Amber Dawson. Again, this is the very next night, July 28th and this child died at approximately 2:40 in the morning. I would ask you to turn to the very next page of the assignment book, page 63. As you suggested, it would appear that on July 28th during the day and the evening, you were not



1
2 working, is that correct?

3 A. That's correct.

4 Q. But you were working the long
5 night shift on July 27th, which is in fact the night
6 that the baby died because she died in the early
7 hours of the morning on July 28th. We have looked at
8 your assignment on ward 4A and 4B that evening.
9 Amber Dawson, according to our information, was
10 assigned to room 418 on the night of her death. You,
11 you will recall, had two patients who were in room
12 426 and one in 423 and were also helping on ward 4B.
13 Can you tell me, do you recall at any point during
14 that night being in room 418?

15 A. When I had patients there I
16 would be in that room, sure.

17 Q. I'm sorry, I am confusing you
18 unnecessarily perhaps, Mrs. Christie. Could I ask
19 you to look again if you would please at page 60
20 and 61 of the assignment book. Do you have that open
21 in front of you?

22 A. I have 61 but not 60.

23 Q. I think you will find that page
24 60 is in the top left hand corner, the page is marked
25 wrong.

26 A. Oh, right.



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G7

Q. And again you will remember

that these are the nursing assignments for the same
night we have already looked at, that is, July 27th?

A. Right.

Q. And you appear to have had two
children in room 426 and one in room 423, is that
correct?

A. Right.

Q. You did not have a patient in
room 418?

A. No.

Q. And I am suggesting to you that
Amber Dawson was in room 418 that night along with
several other patients. My question to you is:
At any point during the course of that shift did
you for any reason go into room 418?

A. No, I wouldn't.

Q. Well, do you recall one way or
the other or do you recall specifically that you did
not?

A. I remember that I did not.

Q. All right. Did you at any point
that evening have any discussions with Miss Nelles
who appears to have been caring for the child that
night?



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2

A. I don't recall.

3

Q. Do you recall, Mrs. Christie,

4

any of the events leading up to that child's

5

cardiac arrest and death?

6

A. I couldn't say.

7

Q. You do not remember?

8

A. No, I don't remember.

9

Q. Do you recall where you were

when Amber Dawson first got into difficulty?

10

A. No, I don't remember.

11

Q. Do you recall the arrest team

12

being called with respect to this child?

13

A. Probably yes, but I can't

14

recall anything else .

15

Q. All right. After the child's

16

death we know that you were not in the very next

17

night at work, but you were there in the morning

18

after the child had been pronounced dead. Do you

19

recall now any discussions amongst any members

20

of the nursing or the medical staff with respect to

21

the death of Amber Dawson of which you were made

aware of?

22

A. No, I don't recall.

23

Q. Did you at any point become

24

informed or aware of any concerns by any of the

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nurses or any of the physicians concerning the
cause of that child's death?

A. I can say I was concerned, yes.
I just wondered how come she died, yes.

Q. Well, do you recall now when
you became aware that there were concerns of that
kind?

A. I don't recall exactly, but I
think it was some discussion about her.

Q. Do you remember whether or not
you took part in any of the discussions when these
concerns were expressed?

A. I don't think so, I don't
recall.

Q. Do you remember whether any
concerns were expressed in addition to questioning
why the child had died?

A. Not that I recall, no.

Q. And do you remember who
expressed these concerns?

A. I don't remember.

Q. Perhaps I will come back to that
in a moment, but I would ask you to look at one
further death in this time period. First, Mrs.
Christie, that's the death of Lillian Hoos. That



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child died on July 30th. It is my understanding -
I'm sorry, she died on July 31st at approximately
5:00 o'clock in the morning. It is my understanding
that you were working the long night shift on July
30th again on ward 4A, is that correct?

A. No, I don't think so. Oh, yes
sure I did, yes.

Q. Well, could I ask you to turn
at the same tab if you would please, to page 67.
You have that, Mrs. Christie?

A. Yes, I do.

Q. All right. And according
to again the long night nursing assignments you were
working on ward 4A and had five patients in room 421
and two in 426, is that correct?

A. That's correct.

Q. All right. And again looking
at the assignments for that evening, it appears I
suggest that Lillian Hoos was in room 418 on
constant nursing care under Miss Nelles?

A. Right.

Q. Miss Morrin, that is Mrs.
Trayner, was the nurse in charge that night?

A. Yes.

Q. Mrs. Scott we know was on duty



G11

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2

with five patients in room 418, that's the same room
where Lillian Hoos was being cared for?

3

4

A. Right.

5

6

Q. And as well there was a
relief nurse on the floor that night?

7

A. That's correct.

8

Q. She was working both on 4A
and 4B, is that correct?

9

A. Correct, yes.

10

11

12

13

14

Q. Again Mrs. Christie, recognizing
and I recognize that your patients were not in 418,
did you to the best of your recollection, for any
reason, go into room 418 during the course of that
long night shift?

15

A. I don't remember that I did, no.

16

17

Q. Do you remember specifically
that you did not or do you remember one way or the
other?

18

19

A. I remember I wasn't there, I
don't think so, I don't remember, no.

20

21

22

23

24

25

Q. If you did not have patients
assigned to a particular room, Mrs. Christie, in
this instance for example, room 418, I take it that
you might from time to time during the course of a
shift look in on the nurses who were assigned to that



G12

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room to see how they were doing or to chat for a
moment or two. That could happen?

3

4

A. It could happen but I don't
think so that I went there, no.

5

6

Q. All right. I take it that it
could happen?

7

8

A. It could.

9

Q. And from time to time I take
it you did so?

10

11

A. It could, it's possible, yes.

12

Q. But you do not recall?

13

A. No.

14

Q. You recall that it did not
happen on this particular evening so far as room 418
is concerned?

15

16

A. Right.

17

Q. Do you recall any of the events
at all Mrs. Christie, leading up the arrest of this
child, that is, Lillian Hoos?

18

19

A. No, I don't recall anything,
sorry.

20

21

Q. Do you recall any discussions
at any time following her death amongst any of the
nurses or the physicians on the floor regarding the
fact that she had died?

22

23

24

25



G13

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A. I don't recall, no.

3

Q. By the end of July, Mrs.

4

Christie, we have seen from the children that we have

5

looked at that there were some six deaths on wards

6

4A and 4B counting Laura Woodcock. You had been on

7

duty on the long night shift when several of those

8

children died; Amber Dawson, Lillian Hoos for

9

example. Did you at the end of that month, Mrs.

10

Christie, have any view as to whether or not there

11

had been an unusual high number of deaths on the

ward that month?

12

A. Not in July because I had been

13

away in July, so, I wouldn't know that some children

14

passed away. So, I wasn't there, I wasn't present.

15

But maybe later on I remembered that I did wonder

how come, yes.

16

Q. All right. Do you recall when

17

in fact you first observed that there was an unusual

18

high number of deaths taking place or having taken

19

place on those wards. When did you first notice

20

that in your own mind?

21

A. I remember it was about

November/December.

22

Q. Of 1980?

23

A. Right.

24

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G14

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Q. And you have indicated and we have seen that for a period of time in July you were absent from the hospital on holidays. You were however there when a number of these children did die. I'm not suggesting you were in the room or assigned to the care of the children, but you were on duty that night during the course of the long night shift when they died?

A. Yes.

Q. If a child had died on your ward on a night when you were not on duty, in the normal course when you came back in on your next shift, would you be informed that that happened?

A. Not really, no. Sometimes I wouldn't, no. Sometimes I think maybe the child is in ICU or maybe they put that child into another room. No, I wouldn't be aware.

Q. If it was a situation Mrs. Christie where it was a patient for whom you had cared at some point during the child's admission to the hospital would that make any difference in that situation, would you be informed as to what had happened to the child?

A. Maybe I would enquire, maybe I would ask.



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DM/cr

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Q. I take it that would be because you had become familiar with the child, and on returning to work and noticing the child's absence you might be curious as to what had happened to the child?

A. Right.

Q. Could I ask you to look, if you would please, to Exhibit 300; Mr. Registrar. You have told me that you recall, Mrs. Christie, that as best you can remember it there were concerns expressed after Amber Dawson died as to why she had died; do I have that correctly, is that what you recall?

A. Yes.

Q. I asked you when you became aware of those concerns, and you told me you couldn't recall the time frame but you know there were concerns as to why she had died?

A. Right.

Q. You have also told me you do not recall any discussions regarding the death of Lillian Hoos; do I have that correctly?

A. Correct.

Q. Could I ask you to turn if you would please to the very first tab in this book,



1
2 which is a copy of the Ward 4A communications book,
3 Mrs. Christie, and I would ask you to look at page
4 5 if you would please? Do you have that?

5 A. Yes.

2
6 Q. You see Mrs. Christie that at
7 page 5 there is a note in the Ward 4A communications
8 book dated July 31st, that concerns a number of
9 matters including the subject that is described as
"Recent deaths". Do you see that?

10 A. Yes.

11 Q. And then there is a description
12 concerning Amber Dawson, and it is indicated:

13 "News of the cause of Amber is still
14 unknown. Post mortem was done yesterday
15 will get more information later, but
16 it seems there is an element of
surprise re her cause of death."

17 A. Right.

18 Q. And further down towards the
19 bottom of the page there is a note with respect
20 to Lillian Hoos, and it is indicated:

21 "There is a question on cause of death
22 it has not been settled yet."

23 Do you see that?

24 A. Yes, I do.
25



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Q. Do you recall Mrs. Christie having seen this note in the Ward 4A communications book at the beginning of August, or shortly thereafter?

A. I don't recall.

Q. Have you ever seen this note before?

A. I probably did but I couldn't tell when.

Q. Do you remember seeing the note before?

A. I can't remember.

Q. I take it then that this note doesn't help you in any way in placing the time at which you first learned that there were concerns regarding the death of Amber Dawson?

A. Right.

Q. With the benefit of that note before you, does it help you in any way to now recall whether you were made aware of concerns regarding the death of Lillian Hoos?

A. I can't remember.

Q. It doesn't bring back anything to mind?

A. No.



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Q. Do you recall, Mrs. Christie,

3

that at the end of July, or the beginning of August,

4

in the face of the six deaths which had occurred

5

on the wards, any of the nurses associated with your

6

nursing team raising with any of the physicians

7

on the cardiology unit concerns or questions

8

regarding the number of deaths that had taken place?

9

A. I think, yes, they did. It

10

was concerns about all the deaths, and I think

11

Phyllis Trayner was asking the doctor, I think she

12

spoke to Dr. Freedom about the deaths, she wanted

13

some answers I think. And then followed the meeting

14

for us, we had a meeting with Dr. Freedom, I don't

15

remember exactly when it was but he explained that

16

about five patients, but I don't remember their

17

names.

Q. Were you present when Mrs.

18

Trayner raised this matter with Dr. Freedom?

19

A. I saw her talking to him

20

and I presume it was about those babies, about those
deaths.

21

Q. Did you hear what Mrs. Trayner
was in fact discussing with Dr. Freedom?

22

A. Not really, no. That is what

23

I thought she had probably been talking about.

24

25



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Q. I take it then although you

3

didn't hear in fact what was said between them, you

4

formed the impression that it was about the matter

5

of those deaths?

6

A. Right.

7

Q. But you don't really know

in fact what was discussed between them?

8

A. No.

9

Q. Was it after that discussion

10

that the meeting was then held with Dr. Freedom at

11

which these deaths were discussed?

12

A. Yes.

13

Q. Were you present at that

meeting?

14

A. Yes.

15

Q. Do you recall when it was

16

held?

17

A. That was early in September,

18

or - early --

19

Q. Where was the meeting held?

20

A. In the Conference Room 5A

and B Conference Room.

21

Q. I am sorry, 5A or 4A?

22

A. I am sorry, 4A and 4B

23

Conference Room.

24

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Q. Were there any physicians
present other than Dr. Freedom?

3

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A. I don't recall if somebody
else was present but I remember Dr. Freedom and
he explained the patient and he said it was not
our nursing care that we did something wrong with
our nursing care, but really that all those babies
had been very, very sick.

5

6

7

8

9

Q. Do you recall which children
were discussed at that meeting?

10

11

A. No, I don't, no, I didn't
take any notes, no.

12

13

Q. I take it that it is clear
that it was some of the children who died during the
course of the summer on the wards?

14

15

A. Yes.

16

17

Q. Do you recall now whether
other nurses were present at the meeting?

18

19

A. Yes I think some other nurses
were present too.

20

21

Q. Do you recall who they were?

A. No, I don't remember.

22

23

Q. You don't remember the names
of any of the nurses who were there?

24

25

A. Probably Phyllis was, probably



Christie, dr.ex.
(Cronk)

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our team, it must have been our team because we
always worked together, but I couldn't give specific
names.

4

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Q. Mrs. Christie, I should tell
you that I understand fully the difficulty of trying
to recall events some three years after they took
place, and I take it you don't specifically recall
who was at the meeting?

9

A. I don't.

10

11

Q. Although you assume that the
members of your team were there?

12

A. Correct.

13

14

15

16

17

Q. Was it your impression then,
in light of what you have told me, that at the
conversation at that meeting that Dr. Freedom felt
there was no difficulty nor any deficiency of any
kind in the nursing care which had been given to these
children?

18

A. That's right.

19

20

21

Q. And is it your recollection
as well that he suggested to those present at the
meeting that the children who had died were very
sick?

22

A. That's correct.

23

24

25

Q. Apart from this meeting and



1
2 this discussion with Dr. Freedom, do you recall
3 being present during any other discussion in the
4 month of August with any physicians on the ward in
5 discussions regarding these deaths?

6 A. No, I wasn't.

7 Q. When you left the meeting with
8 Dr. Freedom were you reassured in your own mind as
9 to why those children had died?

10 A. Yes, at least we got an answer
11 that we know it was nothing wrong with our nursing
12 care, that those children had been really sick.

13 Q. When you left the meeting,
14 do you recall whether or not you formed the impression
15 that with respect to any particular child there
16 still appeared to be some remaining doubt as to why
17 they had died?

18 A. I don't remember.

19 Q. And you do not recall specifically
20 which children were discussed at the meeting?

21 A. No, I don't.

22 Q. Apart from the discussion
23 which Mrs. Trayner had with Dr. Freedom, and which
24 you observed, do you recall now at the beginning
25 of all this any other members of the nursing team,
or any other nurses connected with Ward 4A or 4B



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raising to your knowledge the matter of these deaths,
or any specific death that had taken place on the
wards?

4

5

A. No, I don't remember, I
don't recall, no.

6

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8

Q. That is the only specific
incident that you recall apart from the meeting
which then took place with Dr. Freedom?

9

A. What I can recall, yes.

10

11

12

13

14

Q. Could I ask you then to look
at the case of Phillip Turner. This child died on
August the 1st at approximately 2:45 in the morning.
Again as I understand it you worked the long night
shift the night that he died; do I have that
correctly?

15

16

A. Was it August 5th, I was
absent.

17

18

Q. That would be July 31st, Mrs.
Christie, the night that he died.

19

A. Yes.

20

21

22

23

24

25

Q. Do you have the assignment
book still in front of you, Mrs. Christie? Could
I ask you to look at page 69 and you will see, Mrs.
Christie, page 69 the nursing assignments for the
long night shift. Am I fairly suggesting that you



Christie, dr.ex.
(Cronk)

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worked that 12 hour long night shift on Ward 4A where you had five patients in Room 421, but as well you were assisting on Ward 4B that evening?

A. That's right.

Q. Do you recall with respect to Phillip Turner specifically, Mrs. Christie, any of the events leading up to that child's arrest?

A. No, I don't remember.

Q. It would appear according to the assignment book that on that long night shift, Mrs. Christie, Phillip Turner was in Room 418, as were a number of other patients, and that he was being cared for by Miss Nelles, am I reading that entry correctly?

A. That is correct, yes.

Q. Do you recall whether for any reason, during the course of that 12 hour shift, you went into Room 418?

A. No, I don't think so. I haven't been there, no.

Q. Do you recall the child's arrest at all?

A. I don't recall it, no.

Q. Do you recall after the child had been pronounced dead any discussions, Mrs.



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Christie, again amongst any of the nurses on either of the two wards or amongst any of the physicians concerning the fact of that child's death, or any of the circumstances surrounding his death?

6

A. No, I don't recall.

7

8

9

10

11

Q. We have seen, Mrs. Christie, that by this period of time, that is the 1st of August, that you had been on duty on Ward 4A, or alternatively on Ward 4A and 4B on a number of nights when children arrested and regrettably were not able to be resuscitated and died?

12

A. Yes.

13

14

Q. If an arrest was called on your ward, 4A, what role as a registered nursing assistant did you normally play?

15

16

17

18

19

A. If an arrest would be, I would go to the room and to try and clean up, take a couple of chairs away and make room for the crash cart, or so they can keep the crash cart in that room.

20

21

Q. Yes. Would you assist in any other way during the resuscitation?

22

23

24

25

A. During resuscitation I wouldn't, but I would take care of the whole floor, take care of all the other patients on 4A.



1

2

Q. I take it then that apart from trying to make room in the patient's room itself by removing some of the furniture, and apart from perhaps bringing in the resuscitation cart, to the best of your recollection you would not normally be present throughout a resuscitation effort in a patient's room, is that fair?

8

A. Yes.

9

Q. Your duties, as I understand it, was you have said were to return to the ward generally and to observe and care for the other patients while other nurses and the doctors were attending to the child who was in difficulty?

13

A. That's correct.

14

Q. As I understand it, Mrs. Christie, and you may wish to look at the Ward 4A WIN sheets to help you with this, you were on holidays from August the 1st commencing with the day of August the 1st to August 26th inclusive; do I have that correctly?

19

A. To August 21st.

20

Q. I suggested August 26th, am I in error?

21

22

A. No, I believe I came back, oh no, I am sorry, I had been in, that's right.

23

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Q. Could I direct you to August
23rd, Saturday August the 23rd.

A. The 23rd?

Q. It appears from the WIN
sheets that you are recorded as having worked
both the Saturday and the Sunday on long nights;
it is my understanding from the assignment books
that you were ill both days. Would it help you to
see the assignment book, Mrs. Christie, or do you
now recall? It is clear from the WIN sheets, Mrs.
Christie, that until August the 22nd you were
absent from the Hospital?

A. Yes.

Q. Could I ask you now to look
at page 115 of the assignment book. Perhaps I
will help you locate this. Page 115 shows the
nursing assignment for August the 23rd, and it
records you as being absent and ill, is that correct?

A. That's correct.

Q. Could you turn to the next
page, August the 24th; again the assignment book
records you as being ill?

A. Right, correct.

Q. Again could I ask you to turn
to the next page, August the 25th; there is no



Christie, dr.ex.
(Cronk)

1
2 indication on that day that you worked either during
3 the day shift or the long night shift?

14 A. That's correct.

4 Q. And then if we turn to August
5 the 26th, similarly there is no indication that you
6 worked that day or that night?

7 A. That is right.

8 Q. Is that correct?

9 A. Correct.

10 Q. If you turn to the immediate
11 next page, the immediate next page, Mrs. Christie,
12 I suggest that you were back at work from holidays
13 for the first time on the 12 hour long night duty
14 shift on August the 27th?

15 A. That's correct.

16 Q. During the period of your
17 absence from the Hospital, Mrs. Christie, from the
18 beginning of August through until virtually the end
19 of the third week in August, August 27th, four more
20 children had died on Wards 4A and 4B. To help you
21 with the names of those children, Dion Schrum died
22 August the 9th; Kelly Monteith on August the 19th;
23 Paul Murphy on August 23rd; and Antonio Velasquez
24 on August the 24th, all prior to your return to the
25 Hospital.

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When you did come back in, however, on August 27th on long nights, do you recall whether you were informed that there had been more deaths or indeed any deaths while you were away from the hospital?

A. I don't recall.

Q. One way or the other?

A. Right.

Q. It is possible then I take it that you were so informed?

A. It is possible, but I don't recall.

Q. When you did return to work on August 27th did you on the basis of your discussions with the nurses who were working that night or on the basis of any of your observations of the conditions on the ward that night form any impression as to whether or not the nurses appeared to be operating under any stress?

A. I think they had been under stress, yes.

Q. Do you recall making that observation at that point in time? That is, August 27th or within the next day or two after you had returned to work.

A. After I returned to work, yes.



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2

2

3

Q. You recall specifically having observed that at that time?

4

A. Right.

5

6

Q. What did you understand to be the basis for the stress which you felt or sensed was being felt by the nurses on the wards?

7

8

9

A. I felt myself too that we have all those babies dying and I just wonder how come they are dying and always when we are on.

10

11

12

13

Q. Mrs. Christie, I am not trying to suggest a particular time frame for your observations in that regard, but it appears to me that you have now suggested that towards the end of August as opposed to November or December --

14

15

A. Oh, right.

16

17

18

19

Q. Excuse me. Towards the end of August as opposed to November or December that you observed that there had been an increased number of deaths on the wards, that they were happening when your team was on duty and that they were happening at night. Is that what you are telling us?

20

21

A. That is right. That is correct.

22

23

24

25

Q. Do you now recall having made that observation towards the end of August as opposed to later in the fall?



1

2

A. No, not by the end of August, no.

3

4

5

6

7

A. I don't recall. I don't remember.

8

9

Q. I take it at some point you did
make that observation.

10

A. Yes.

11

12

Q. But it may well not have been at
that period of time?

13

A. Yes.

14

Q. Is that fair?

15

A. That's fair.

16

17

18

Q. Am I correct, however, there did
come a point in time when you felt an observed
or perceived stress on those wards and were conscious
of other nurses feeling that stress?

19

A. Yes.

20

Q. And do you recall specifically
when you first became aware of that?

21

22

A. I became aware of that by the -
in November and December.

23

24

25

Q. All right. Can you help me, please,



1
2 if you can what it is that stands out in your mind
3 about November and December?

4 A. We had quite a few deaths, those
5 both months, quite a few children died on those
6 floors, on those wards.

7 Q. And to the best of your present
8 recollection that was not something that you had
9 observed earlier in the fall in September or
10 October?

11 A. Right. Correct.

12 Q. Perhaps we should look then at
13 the deaths which did take place during the month of
14 September, Mrs. Christie. There were two. The first
15 was a child by the name of Laurette Heyworth who died
16 on September 2nd at approximately 8:30 in the morning.

17 As I understand it the day before her
18 death, September 1st, you had worked a long day
19 shift and as well you worked a long day shift on the
20 day of her death, that is September 2nd.

21 A. That is correct.

22 Q. Is that correct?

23 A. Correct.

24 Q. As I understand it on the 1st
25 of September the day before she died you had been as-
signed to the care of Laurette Heyworth; is that



correct?

A. That is correct, yes.

Q. Do you recall now, Mrs. Christie, what her condition was at the end of your shift on September 1st when you left the hospital to go home?

A. She had been sick but otherwise she was stable. She had been complaining of some pains but she didn't look like she would be terminally ill, that she would die the next day.

Q. Laurette Heyworth was not your only child that day; is that right?

A. Correct.

Q. As I understand it you had some four or five other patients all on Ward 4A?

A. Correct.

Q. Laurette Heyworth was an older child?

A. Yes, she was.

Q. And did I understand you correctly that when you left at the end of the shift the child herself had been complaining of some abdominal pain?

A. Yes, she was.

MS. CRONK: Mr. Registrar, could I ask you to show Mrs. Christie the medical chart of Laurette Heyworth, Exhibit 82.



1
2 Q. Just while the Registrar is get-
3 ting the chart for you, Mrs. Christie, do you recall
4 when it was that the child was complaining of this
5 abdominal pain?

6 A. Some time in the afternoon.

7 Q. Was she still complaining of
8 abdominal pain toward the end of the day shift when
9 you left?

10 A. No, no. Early in the afternoon.

11 Q. Well, had anything been done to
12 alleviate that pain before you left the hospital that
13 day?

14 A. I think she got Lasix at about
15 1830. She got some Lasix, yes, and I think she also
16 had - maybe in the afternoon she had some sedation.

17 Q. Could I ask you to turn to page
18 165 of the medical chart of this child.

19 A. Yes.

20 Q. About the middle of the way down
21 the page, Mrs. Christie, there is a note that appears
22 at 1900 hours on September 1st which appears to be
23 your sign off progress note at the end of your day
24 shift. Is that correct?

25 A. Correct.

Q. And it records as you have



1
2 suggested that Laurette Heyworth received a dose of
3 Lasix some 30 milligrams given at 1830 hours by Dr.
4 Ning.

5 A. Right.

6 Q. On the basis- and take a
7 moment and review it if you wish, Mrs.Christie -on
8 the basis of the note you did make at the end of the
9 shift, can you help me as to what your impression was
10 of the child's condition when you left work that day?

11 A. She was sick, but she was also
12 restless, but at that time, no, she didn't seem to be
13 in - she didn't look like if she would die the following
14 day.

15 Q. You had no reason to expect that?

16 A. No.

17 Q. I can tell you, Mrs. Christie,
18 that we have reviewed the tour end reports. I take it
19 you are familiar with those?

20 A. Yes.

21 Q. You know what they are?

22 A. Yes.

23 Q. With respect to Laurette Heyworth,
24 and on September 1st it is recorded later in the day
25 after the completion of the long day shift that
Laurette Heyworth was placed on shared nursing care.



8

1

2

A. Yes.

3

Q. If that be so and I ask you to

4

accept it from me, it would appear, would it not, that

5

her condition had deteriorated after you had left

6

the hospital?

7

A. Correct.

8

Q. And the next day you worked the

9

long day shift on September 2nd?

10

A. Right.

11

Q. When you worked the day shift when

did you normally arrive at the hospital, Mrs. Christie?

12

A. About 7:00.

13

Q. Would you go directly to the ward?

14

A. Yes, I would go to the ward, yes.

15

Q. As a registered nursing assistant

did you participate in the morning reports when you

16

were working day shift?

17

A. Right.

18

Q. Did you do so that morning?

19

A. Yes.

20

Q. As best as you can now recall?

21

A. Yes, I did.

22

Q. Did you at any time prior to

Laurette Heyworth's death on September 2nd have an

23

opportunity to see her personally or to observe her

24

25



Christie
dr. ex. (Cronk)

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condition?

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A. No, I did not.

4

Q. When you arrived on the ward

5

that morning were you informed that the child was in
any difficulty?

6

A. No.

7

Q. Did you learn at some point that

8

morning that the child had in fact died?

9

A. Later, yes.

10

Q. Do you recall now how you learned

11

that?

12

A. Somebody mentioned, but I don't

13

remember.

14

Q. Do you remember what you were

15

told about the death of the child, or was it merely
the fact that the child had died?

16

A. Only that the child had died.

17

Q. What was your reaction to that

18

news given that when you left the day before you had
not anticipated that she was in that degree of severity?

20

A. I just don't know. I just don't

21

know that she deteriorated in a short time over night.

22

Q. Were you surprised that she died?

23

A. Yes.

24

Q. Do you recall any discussions at

25



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all that morning amongst any of the other nurses,
Mrs. Christie, as to the child's death or the
circumstances surrounding her death?

A. I don't recall any discussions.

Q. Apart from what you observed of
the child's condition during the day on September 1st,
and apart from learning that the child had in fact
died, do I fairly suggest that you have no further or
personal information as to what the child's condition
was during the evening shift on September 1st or
over the course of the long night shift prior to her
death?

A. That's right.

Q. You are not familiar with what
her condition may have been at that time, whether it
had remained stable, whether it had improved or indeed
whether it had deteriorated?

A. That is correct.

Q. The second death in September,
Mrs. Christie, and we may be able to deal with this
one quickly, was that of Brian Gage who died on
September 25th at approximately 4:00 in the morning.

It is my understanding you worked the
long night shift the night that this child died (that
is September 24th). Do I have that correctly?



11

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2

A. Correct, yes.

3

4

Q. You were not, however, assigned to the care of Brian Gage who we have heard was in the care of Mrs. Scott. Or do you recall?

5

6

To help you, if you would turn to page 178, Mrs. Christie.

7

A. Thanks.

8

9

Q. Of a different tab, I'm sorry. Tab 89, page 178. The very last page.

10

A. Yes.

11

12

13

14

Q. As I read the entries, Mrs. Christie, I think you were assigned to the care of a number of patients that night, some 7 in total. You do not appear to have been assigned to the care of Brian Gage who was in Room 418.

15

A. That is right.

16

17

18

Q. He appears to have been in the care and we have heard from Mrs. Scott that indeed she was assigned to the care of Brian Gage.

19

A. Right.

20

21

Q. Do you recall any of the events leading up to the arrest and the subsequent death of Brian Gage that night?

22

A. I don't recall it, no.

23

24

Q. We have seen, Mrs. Christie, that

25



1
2 none of your patients that night were in Room 418.
3 Can you help me, do you recall any time that night
4 having gone into Room 418?

5 A. No. I don't remember. I don't
6 recall.

7 Q. Do you recall any time that
8 night having discussed the child's condition with the
9 nurses, with the nurse who was caring for him, Mrs.
10 Scott? Do you recall having discussed his condition
11 with her?

12 A. No, I don't think so, no.

13 Q. Do you recall, Mrs. Christie,
14 at any time that night, observing anyone feeding
15 Brian Gage in Room 418?

16 A. No.

17 Q. Do you in fact know which bed the
18 child was in in that room?

19 A. No.

20 Q. Again do you recall observing
21 anyone that night administering any medications of
22 any kind?

23 A. No.

24 Q. To that child or any of the other
25 children in Room 418?

A. No, I did not.



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Q. We have heard, Mrs. Christie, that in early September a meeting was held amongst some of the nurses and the doctors at the hospital to discuss some of the deaths which had occurred over the summer months in July and August. That meeting was held on September 5th.

Do you recall whether you attended the meeting?

A. No, I did not.

Q. I take it you were, however, informed at some point that the meeting had taken place?

A. Correct, yes.

Q. Did you know what the purpose of the meeting was or why it was being held?

A. I don't recall. I don't remember.

Q. Do you recall, Mrs. Christie, reviewing in the Ward 4A Communications Book the minutes of this meeting and notes that were made by one of the persons who was in attendance at the meeting? Do you recall seeing those?

A. I don't remember.

Q. Do you recall when you learned that the meeting had in fact been held?

A. I don't recall, no.

Q. What was your understanding of the



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purpose of the meeting?

A. Maybe the doctor wanted to explain why those children die, what could be wrong. That was what the meeting was about. I don't remember.

Q. Mrs. Christie, to help you amongst the many volumes of material that you now have beside you could I ask you to look at Exhibit 300? Could I ask you to look under the first tab again of that exhibit, Mrs. Christie (it is the Ward 4A Communications Book) this time at page 7.

A. Yes.

Q. Do you have that?

A. Yes.

Q. The notes set out on this page, Mrs. Christie, beginning with the words "mortality rounds" record certain of the discussions which took place at this meeting amongst various nurses and physicians, and specifically record part of discussions which took place concerning Andrew Bilodeau, Phillip Turner and David Taylor.

Do you recall having seen these notes and the accompanying minutes in the Ward 4A Communications Book?

A. I don't recall.

Q. One way or the other?



15

1

2

A. Right.

3

Q. There was a second meeting in

4

September, Mrs. Christie. It was held on September 26th,

5

and again it was attended we have heard by a number

6

of nurses and a number of doctors, and the deaths of

7

several additional children were discussed at that

8

meeting.

Were you aware that it was held?

9

A. I don't remember. I didn't

10

attend.

11

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Q. You didn't attend?

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A. No.

4

Q. Do you recall whether or not

5

after the meeting had been held you were informed that there had been a meeting for the purpose of discussing some of the other deaths that had taken place?

7

A. Probably, yes.

8

Q. Perhaps this is the way to put

9

the question to you, Mrs. Christie. Towards the end

10

of September or the beginning of October did you on

11

the basis of any information provided to you by anyone

12

on the ward have the impression that the deaths that

13

had taken place were being looked into by the nurses

14

and the physicians connected with the cardiology unit?

15

A. Can you repeat that question please?

16

Q. It may be difficult but I'll

17

try. Did you by the end of September or the beginning

18

of October, on the basis of any information that was

19

provided to you, have the impression that the deaths

20

that had taken place on the wards were being looked

21

into by the nurses and the physicians connected to

22

the cardiology unit?

A. Yes, I would think so, yes.

23

Q. All right. Well, I'm not asking

24

25



1
2 you to speculate on the matter, Mrs. Christie. In
3 fairness, can you tell me whether or not one way or
4 the other you had such an impression at that
5 time?

6 A. I can't say one way or the
7 other, I don't know.

8 Q. All right. Were you conscious
9 of any element of concern or any ongoing element of
10 discussions that were taking place on the wards at
11 that time concerning all of these children who had
12 died over the course of the summer and the two others
13 who had died in September? Was that something you
perceived or observed towards the end of September?

14 A. I think it was a discussion;
15 I would think so, yes, but I don't recall, I don't
remember exactly.

16 Q. All right. Mrs. Christie, there
17 were as well a number of deaths during the month of
18 October, 1980. On October 15th at approximately 4:27
19 in the morning Richard McKeil arrested and regrettably
20 died. As I understand it from the Ward 4A assignment
21 book you worked a long night shift on October 14th,
the night shift when he died. Do you recall that?

22 A. Right, yes.

23 Q. And it is my understanding that
24
25



1
2 that particular night you had six patients in Room
3 421, on Ward 4A, but you were not assigned to the care
4 of Richard McKeil, is that correct?

5 A. Yes, correct.

6 Q. Do you recall any of the events
7 leading up to the arrest and death of that child?

8 A. No, I only remember when it was
9 a 25 called, that's what I remember, otherwise I don't
10 remember anything.

11 Q. Well, prior to the calling of
12 the Code 25 did you for any reason, Mrs. Christie,
13 and it may help you to know that he was that night in
14 Room 418, going to his room?

15 A. No, I did not.

16 Q. Do you specifically recall not
17 having done so?

18 A. Right.

19 Q. Can you tell me please what you
20 were doing when you heard the Code 25 being called on
21 this child?

22 A. I had been in Room 421 attending
23 my patients and then Code 25 came so I went to that
24 room and tried to clean up, take some of the chairs
25 away and that's all what I remember.

Q. All right. You had patients, as



1

2

I have suggested - I have suggested that you had six patients that night, they were all in Room 421?

3

4

A. Right.

5

6

7

Q. Do I take it that you specifically recall having been in that room attending to your own patients when you heard the Code being called?

8

9

A. That's correct.

10

11

Q. And you then went to McKeil's room in 418?

12

13

A. Right.

14

15

16

Q. And who was in the room when you arrived?

17

18

Q. Do you recall whether there were any physicians in the room when you arrived?

19

20

A. I don't remember, I don't recall.

21

22

Q. Well, what were the nurses doing, if anything, when you arrived in the room?

23

24

25

A. I don't recall, I don't remember, I can't say.

Q. You have told us that you helped



1

2

remove some chairs as you remember it?

3

A. Right.

4

Q. Did you then remain in the room?

5

A. No, no, I didn't.

6

Q. What did you do then?

7

A. I went back to 421 to my
patients.

8

9

Q. How long were you in the room,
in Room 418?

10

11

A. Not very long, a couple of
minutes.

12

13

Q. All right. While you were still
there did any physicians arrive?

14

A. Yes, I would think so; yes, they
would be there.

15

16

17

Q. Did you for any reason after you
had left Room 418 go back into McKeil's room before
the child was pronounced dead?

18

A. No, I did not.

19

20

21

Q. Do you recall after the child
was pronounced dead, Mrs. Christie, any discussion
amongst any of the nurses and the physicians then on
the floor concerning that child's death?

22

A. No, I don't recall.

23

24

Q. Do you recall at any subsequent

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point in the days that followed after his death being made aware of any concerns regarding the child's death or the manner in which he had died?

A. I don't recall, no.

Q. Room 421, Mrs. Christie, on Ward 4A as I look at the schematic drawing of the ward, across the hall - I am sorry, immediately beside 418, do I have that correctly?

A. That's right, yes.

Q. And if you needed any supplies for your children in Room 421, if they needed, for example, needed to be fed and you required any bottles or formula for their feeding, where would you obtain those?

A. Always from the formula cart, the formulas had been on the cart behind the linen room at that time.

Q. Behind the soiled utility room?

A. No, it's changed now but before we had the linen room first before that and then behind was the cart holding all formulas.

Q. Can you help me as to where the linen room was? 4A is on the left side.

A. That was the linen room here.

Q. Thank you. So that if you



1
2 required any formula or any bottles or supplies for
3 your children in Room 421 you would have had to go
4 down the corridor toward 4B and into Room 428?

5 A. Correct, correct.

6 Q. And in doing that you would be
7 required to pass Room 418?

8 A. Yes.

9 Q. Can you help me, Mrs. Christie,
10 at any point that night, that is the night that
11 Richard McKeil died, did you observe anyone feeding
12 that child or indeed any of the children in Room 418?

13 A. No, I didn't notice anybody
14 feeding him.

15 Q. Did you at any time that night
16 observe anyone administering any medication to any
17 of the patients in Room 418?

18 A. No, I did not.

19 Q. Do you recall specifically that
20 you did not or do you remember one way or the other?

21 A. I wasn't in that room, no, I
22 don't remember, I don't think so.

23 Q. Well, I recognize Mrs. Christie
24 that you have told us that you weren't in the room.
25 I am interested, however, in whether or not if on any
of the occasions when you passed that room you noticed



1

2

anyone administering any medication to any of the
patients in that room?

4

A. No, I hadn't seen anybody, no.

5

Q. Do you recall specifically that
you did not observe that?

6

A. Right, correct.

7

MS. CRONK: Sir, would now be an
appropriate time?

9

THE COMMISSIONER: We will rise, but
I don't think that last answer - I doubt if that last
answer is correct. Do you really have any recollection
as to whether you did or did not see anyone giving
medications?

13

THE WITNESS: No, I haven't seen them,
no, I haven't seen anybody giving medications.

15

THE COMMISSIONER: I don't think it
matters much one way or the other.

16

MR. ROLAND: The question to me seems
was she looking for anything. I mean, she may not
even have turned her head to the left.

19

THE WITNESS: Right, yes.

20

MS. CRONK: I have a feeling she
didn't like your question.

21

THE COMMISSIONER: I doubt very much
if you can really take an oath one way or another as

23

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to whether the medication was ...

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THE WITNESS: No, I didn't see, no,
that's right.

4

5

MS. CRONK: Thank you, sir.

6

THE COMMISSIONER: All right. Well,
we will rise until 2:15 then.

7

--- Luncheon recess

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---Upon resuming

THE COMMISSIONER: Ms. Cronk.

MS. CRONK: Thank you, sir.

Q. Mrs. Christie, before we broke for lunch we were discussing Richard McKeil and specifically the night of his death. Can you tell me, do you recall having heard the emergency buzzer sound on room 418 the night Richard McKeil died?

A. Yes, I did.

Q. You did?

A. Yes.

Q. And either before or after you heard the emergency buzzer sound - well, I'm sorry after you heard the emergency buzzer sound I take it that it was at that point that you then went into room 418 to see if you could assist?

A. Right.

Q. While you were in room 418, did you notice the tray with any objects of any kind on top of the cardiac monitor in Richard McKeil's room?

A. I don't recall, I don't remember.

Q. Okay, you don't recall one way



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2

or the other?

3

A. Right.

4

Q. The next child to die in

5

October, Mrs. Christie, was Antonio Adamo who died

6

on October 19th at 5:45 in the afternoon. As I

7

understand it, you worked long nights on both

8

October 18th and October 19th and accordingly were

9

not on duty when this child died, is that correct?

10

A. Correct.

11

Q. Do you recall Mrs. Christie

12

when you returned or came into work on the night of

13

October 19th hearing any discussions amongst any of

14

the nurses or physicians on ^{the} unit as to the fact that

15

the child had died or as to any of the circumstances

16

A. I don't recall.

17

Q. Were you aware, Mrs. Christie,

18

that a meeting had been held amongst certain of the

19

ward 4B nurses on October 22nd during which the

20

death of Antonio Adamo amongst other matters was

21

specifically discussed. Did you know that?

22

A. No, I don't remember.

23

Q. Did you know that there was

24

a meeting held the next day on October 23rd attended

25

by both ward 4A and 4B nurses at which a number of



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the arrests were discussed as well as matters which were apparently then causing stress and concern to the nursing staff. Did you know that that meeting had been held?

A. I don't know.

Q. Did you attend it?

A. No, I did not.

Q. All right. Do you recall at any point having observed in reading the ward 4A communication book and ward 4A meeting book a note concerning the meeting that had taken place on October 23rd?

A. I don't recall that.

Q. All right. Do you still have exhibit 300 beside you?

Could I ask you to look at the very last tab in this book, Mrs. Christie, which is the ward 4A, one of the ward 4A meeting books. I have the difficulty that the pages in my book are not numbered, but I would ask you to turn to the notes made for October 23rd, 1980, in your book.

THE COMMISSIONER: 175.

MS. CRONK: Thank you, sir. Page 175, Mrs. Christie.

A. Thank you. I've got that.



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Q. Could I direct your attention
Mrs. Christie to the note that is dated October 31st,
1980, which records --

THE COMMISSIONER: October 23rd?

MS. CRONK: I'm sorry, October 23rd,
1980.

THE COMMISSIONER: Yes.

MS. CRONK: Which records that a
meeting was held amongst some of the ward 4A and
ward 4B nursing staff at which was discussed
concerns that had been expressed regarding staff
turnover and increasing fatigue, particularly
emotional fatigue. Do you see that?

A. I see it here.

Q. And on the top of the next
page, the second paragraph, as well feelings of
frustrations with regard to arrests were verbalized
and discussed. Do you recall having seen this note
in the ward 4A meeting book, Mrs. Christie?

A. I don't recall, no.

Q. Were you aware towards the
latter part of October, 1980, of feelings of stress
and fatigue, emotional or otherwise, amongst the
nurses on ward 4A?

A. Yes.



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Q. Do you recall how you became aware of that?

A. I guess some of the nurses had been talking about the patients, some of them, but I don't recall which patients, I couldn't remember.

Q. Do you recall specifically any discussion in which you participated with any of the nurses concerning this matter?

A. Not really, no.

Q. All right. To the best of your recollection were particular members of your nursing team discussing the deaths which had occurred and the stress that they were feeling in light of these arrests?

A. No.

Q. Did you observe any members of your own nursing team discussing these deaths in the latter part of October beginning of November with any of the physicians?

A. I saw a couple of times Phyllis Trayner talking to some doctors, but I don't know what they were talking about, I presume it was about some patients, but I didn't hear anything.

Q. And again you don't know



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specifically what she was discussing?

A. No.

Q. She was your team leader as you have told us. I take it it would not be unusual to see her discussing a number of matters with doctors and physicians on the unit?

A. Correct, yes.

Q. Were you aware by the end of October, Mrs. Christie, or the beginning of November of any discussions that were afoot with respect to the possibility of splitting up your nursing team?

A. Not on our side. Maybe on B side. But on our side I wasn't aware, no, I never had any discussion about splitting up the teams.

Q. At any time during this nine month period did you become aware of any discussions about splitting up your nursing team?

A. No.

Q. Mrs. Christie, by the end of October, 1980, you had an opportunity to work many shifts on ward 4A with both Phyllis Trayner, Mrs. Scott and Susan Nelles, is that correct?

A. Correct.

Q. You functioned as a team effectively since the beginning of April of that year,



1
2 is that correct?

3 A. Yes.

4 Q. What was your impression,
5 Mrs. Christie, based on your observations of the
6 team members and your having worked with the other
7 team members on so many occasions as to how Phyllis
8 Trayner and Susan Nelles got along as team members
9 on the same team?

10 A. How they got along together?

11 Q. On the same team.

12 A. I didn't feel that there was
13 any conflict between them. Whenever I seen them
14 they were always friendly, always helpful to each
15 other. I haven't seen anything that they quarreled
16 in front of me, not that I have been aware that I
17 have seen it, I haven't seen that. They have
18 always --

19 Q. Well, Mrs. Christie, perhaps
20 you anticipate me but I hadn't suggested to you
21 that there was any conflict between the two. Was it
22 your impression that the team functioned harmoniously.

23 THE COMMISSIONER: I'm not too sure
24 of that.

25 MS. CRONK: To this witness?

THE COMMISSIONER: You asked how did



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they get along and that anticipates one answer or
the other.

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MS. CRONK: Well, that may be but I
certainly didn't suggest there was conflict to Mrs.
Christie between these two, sir.

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THE COMMISSIONER: All right.

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Q. Was it your impression then,
based on your experience with the team members, Mrs.
Christie, that it functioned harmoniously and well
as a team?

A. I think it did. Only once I
remember I had coffee with Bertha Bell and Susan
Nelles. I remember Susan Nelles talking to Bertha
Bell if she would talk to Mrs. Radojewski about Phyllis.
I don't know what it was, I never inquired, I didn't
want to be involved in that, so I don't know what it
was.

Q. You heard that discussion you
said I believe during a coffee break?

A. Right.

Q. Were you part --

A. We went downstairs, we were
downstairs in the cafeteria.

Q. Were you part of the discussion?

A. No. I was only having coffee
with them and I overheard that, that's all.

Q. I'm sorry, just so that I under-
stand. You were having coffee downstairs in the
hospital with Miss Nelles and Mrs. Bell?

A. That's right.

Q. And during that discussion Miss



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Nelles asked Mrs. Bell to speak to Mrs. Radojewski?

3

A. Correct.

4

Q. Did you have any understanding as to why she wanted her to do that?

5

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A. I know that Mrs. Trayner's evaluation is supposed to be coming shortly, so that is why she is supposed to talk to her, but I don't know about what, I just don't know.

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Q. Did Miss Nelles, in your presence, and while you were having your coffee together, explain what it was that she wanted Mrs. Bell to discuss with Mrs. Radojewski?

12

13

A. No, and I didn't ask anybody, I just didn't want to get involved into that.

14

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Q. Other than that one incident, or that one occasion when you overheard that discussion, Mrs. Christie, I take it it was your impression that the team did function harmoniously, and that there was not any conflict between the members of the team, is that correct?

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A. Correct. Even I remember we would be working nights, and over the weekend and sometimes our assignments for the following day is done by the head nurse, but sometimes the assignment changed. So the nurse in charge, she has to change that assignment



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2 for the following day. So Mrs. Trayner was making
3 that assignment and so then she asked Miss Nelles to
4 help her, if that is correct, so she asked Miss Nelles
5 to help her with that assignment.

6 Q. And on occasion did you observe her
7 to do so, the two of them working together on the
8 assignment?

9 A. Yes.

10 Q. Did you at any time during this
11 nine month period observe or become aware of
12 disagreements between Mrs. Trayner and Miss Nelles
13 while they were functioning on the same team?

14 A. I think Miss Nelles was, she
15 tried to honor responsibility and she was like to
16 be maybe also a team leader. That is the impression
17 that I have that she would like to do more than she
18 was allowed to do.

19 Q. Do you recall having observed at
20 any time, Mrs. Christie, during this nine month period,
21 or having learned of any disagreements between the
22 two, whether it flowed from that perception or for
23 any other reason?

24 A. No, I never seen them fighting
25 or quarreling, never, no.

Q. It was not your impression that that



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happened?

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A. Right.

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Q. Mrs. Christie, do you recall
after the completion of the preliminary hearing
against Susan Nelles being interviewed by representa-
tives of the Metropolitan Toronto Police force,
November 2nd, 1982?

8

A. Yes.

9

Q. Do you recall that?

10

A. Yes.

11

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Q. Do you recall being asked during
the course of that interview questions as to whether
or not you had observed, or learned of any disagree-
ments which may have taken place between Mrs. Trayner
and Miss Nelles while they were on the same team?
Do you recall being asked that?

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A. I think that is the same thing
what I mentioned about that coffee break, and about
Bertha Bell, that is what I mentioned at that
meeting.

20

21

Q. Well do I take from that that
you do recall this matter coming up during that
interview?

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A. I heard it but I don't know if
I remember exactly, I know which one you may mean but



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2 I don't remember.

3 Q. Have you had an opportunity
4 prior to testifying, Mrs. Christie, to review
5 statements, where they are available, of the various
6 interviews or sessions that you had with representatives
7 of the Metropolitan Toronto Police Force?

8 A. I did, but not recently.

9 Q. Did you review the one, the
10 statement from the November 2nd, 1982 meeting?

11 A. I did also but not recently, not
12 recently.

13 Q. If I suggest to you, Mrs.
14 Christie, that you are recorded in the typed version of
15 that statement as having indicated to the officers
16 who were interviewing you that there was some dis-
17 agreement between Phyllis Trayner and Susan Nelles,
18 that you thought there was, and I quote: "Something
19 there", and that you felt that Susan Nelles
20 didn't really like Mrs. Trayner and wanted to be on
21 the leadership role. Do you recall having made those
22 remarks and those observations to the officers who were
23 interviewing you?

24 A. Yes, I did.

25 Q. I take it then at that time you
did indicate to the officers that there was some



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disagreement between Mrs. Trayner and Miss Nelles.

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A. That's what I thought, yes.

4

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Q. And was that true at the time
that you told the officers that, to the best of your
belief?

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A. That time, that is what I thought
at that time, yes. Because most, the reason, the main
reason was because when she talked to Bertha Bell about
it that is what I thought, you know, that it was
something between them.

11

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Q. Do I understand you to be saying
then that it was the incident when over coffee you
heard Miss Nelles ask Mrs. Bell to discuss a matter
with Mrs. Radojewski, that you had in mind, when you
indicated to the officer there was a disagreement or
some disagreement between Mrs. Trayner and Susan
Nelles?

17

18

A. Not that time, that particular
case that was Bertha Bell and Susan, only that one.

19

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Q. And you did not have in mind any
other incident of any kind?

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A. No.
Q. Do you now recall any other
incident which you observed, or which you learned,
when it was apparent to you that there was a disagreement



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2 between Mrs. Trayner and Miss Nelles?

3 A. Maybe it was a disagreement between
4 them, but I don't know, I didn't hear anything.

5 Q. I take it you did not inquire
6 further either of Mrs. Bell or Miss Nelles as to what
7 the matter in issue was that you had overheard them
8 discussing at coffee that day?

9 A. That's correct.

10 Q. Another patient died in October,
11 Mrs. Christie, by the name of Francis Volk and he
12 died on October 23rd. Do you have any recollection of
13 that child at all, or the events leading up to his
14 arrest and death?

15 A. No, I don't, I don't remember.

16 Q. As I understand it you worked
17 long nights on October 22nd and 23rd. Do you recall
18 at any point after that child's death being made
19 aware of, or participating in any discussions concern-
20 ing the fact of the child's death, or the circumstances
21 surrounding his death?

22 A. No, that child died in the
23 afternoon.

24 Q. I recognize that.

25 A. No, I didn't hear anybody.

Q. You didn't hear any discussions at



1
2 that time?

3 A. No.

4 Q. In November of that year, Mrs.
5 Christie, there was a further death, that of a patient
6 by the name of Matthew Lutes, he died on November
7 17th, 1980. He died on Ward 4A at approximately 1:34
8 in the morning. As I understand it you worked the long
9 night shift on November 16th, the night of his
10 death, do I have that correctly?

11 A. That's correct.

12 Q. You were not however assigned to
13 this particular patient's care, am I right?

14 A. Right, yes.

15 Q. As I understand it, and I ask
16 you to accept it from me for the moment, Mrs. Christie,
17 Matthew Lutes the night of his death was in Room 418
18 and you had seven patients on the Ward 4A but in
19 various other rooms. Do you recall any of the events
20 leading up to the arrest and death of this child?

21 A. Again, I don't recall.

22 Q. Do you recall at any time being
23 in Room 418 prior to the arrest and death of this
24 child on the night of his arrest?

25 A. I don't know, I don't know.

Q. Do you recall observing anyone,



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the night that Matthew Lutes died, either feeding the
child or administering any medication to him?

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A. No, I haven't seen.

5

Q. I take it you yourself did not
do so.

6

A. No.

7

8

Q. Can we move then Mrs. Christie
to the deaths which occurred in December of 1980.

9

10

The first was a child by the name of John Onofre who
died on December 9th, 1980. This is a child who died
on Ward 4B, again at approximately 4:00 in the morning.
It is my understanding you were working the long night
shift on the night that he died, that you working on
the 4A side. Do I have that correctly?

11

12

13

14

A. Right.

15

16

Q. Did you for any reason, as best
you can recall it, go over to the 4B side that night
before John Onofre went into an arrest?

17

18

A. No, I did not.

19

20

Q. Do you have any recollection of
having seen this patient at all prior to his arrest
and death?

21

22

A. No, no recollection.

23

24

Q. Any recollection of any discussions
after his death amongst any of the nurses, or any of the

25



1
2 physicians, as to the circumstances surrounding his
3 death?

4 A. Neither, no.

5 Q. Another patient died some days
6 later, D'Arcy MacDonald on December 13th. He died
7 on Ward 4A, again at approximately 4:30 in the morning.
8 It is my understanding that you were working long nights
9 the night that he died, but you were working this time
10 on Ward 4B; do I have that correctly?

11 A. December 13th?

12 Q. That would have been December 12th,
13 the long night shift.

14 A. I had been absent, December 12th
15 I had been absent.

16 Q. Perhaps I am in error. Could I
17 ask you to look at Exhibit 32-C which should be the
18 sixth volume beside you there on the counter.

19 A. Which again?

20 MS. CRONK: 87. I'm sorry, sir.

21 THE COMMISSIONER: We are dealing with
22 MacDonald?

23 MS. CRONK: Yes, sir, we are.

24 THE COMMISSIONER: Mr. Lamak is dealing
25 with this, surely.

MS. CRONK: It may be me, sir, I will take



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a moment and check it out.

3

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THE COMMISSIONER: This is interesting,
if we can work up a row between you
and him it will be well worth the day's effort.

5

6

MS. CRONK: I shall immediately abandon
the entire line of questions, sir.

7

8

Q. Would you look at Tab 87, and I
ask you to turn to page 161. I think, sir, Mr.
Lamek is about to be vindicated in absentia.

9

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THE COMMISSIONER: Well, 161, this is
December 13th.

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MS. CRONK: That's right, that is
late in the night, that is the night of the day on
which the child died.

14

15

THE COMMISSIONER: It is the 12th that
we should be looking at.

16

17

MS. CRONK: That is right, sir.

18

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Q. It appears, and I am going to
suggest to you that you are absolutely right, Mrs.
Christie, that you were not working long nights on the
12th, but you were working on the 13th, long nights
on December 13th.

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A. Right.

Q. And on December 13th you were
working relief on Ward 4B?



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A. Right.

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A. No, I don't recall.

8

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Q. During the course of that long night shift on December 13th, Mrs. Christie, do you recall any discussions having taken place with respect to the fact that a child had died on the previous night shift?

12

A. I don't remember.

13

Q. One way or the other?

14

A. Right.

15

16

Q. Is there anything about this child's death which stands out in your mind at all, Mrs. Christie?

17

A. I can't recall.

18

19

20

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Q. At any time prior to the end of March, 1981, was it ever suggested to you, or did you ever hear that it had been suggested that digoxin may have contributed to this child's death?

22

A. No, I didn't hear anything like that.

23

24

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Q. Another child died in December,



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Mrs. Christie, a child by the name of Real Gosselin, he died on December 18th at approximately 0316 in the morning. With some hesitancy I am about to suggest that you worked the long night shift on December 17th, the night he died; am I right this time?

A. That's right.

Q. As I understand it you had a number of patients that evening again all on the Ward 4A side?

A. Correct.

Q. Can I ask you to turn if you will, please, to page 168 and 169 of the book that you have opened there in front of you, that is the Ward 4A assignment book. Do you have that, Mrs. Christie?

A. Yes, I do.

Q. According to the entries in the Ward 4A assignment book you had amongst your patients that evening a child in Room 418, is that correct?

A. Correct.

Q. And as I read the entries in the 4A book it would appear that Real Gosselin was in Room 418 the night of his death.

A. Correct.

Q. He appears to have been in the



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care, as were other children in that room, of Susan Nelles.

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A. Correct.

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Q. I take it then inasmuch as you had a number of patients on the ward, only one of whom was in Room 418, that you would in the course of fulfilling your duties to the other patients, and have been in Room 418 on and off during the course of that long night shift?

10

A. Correct.

11

12

13

Q. You as well had two patients in 421, and two in Room 426, and you would have been required to attend to them as well?

14

A. Right.

15

16

Q. Do you recall now, Mrs. Christie, what proportion of your time, if you are able to tell us, you spent in Room 418 that night?

17

18

A. I am not sure, but I would at 8:00 be taking signs on my babies in 418.

19

20

Q. Why would you be in Room 418 first?

21

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23

24

25

A. Because I always take signs on babies first and I see whether that baby should be fed, and if it should be fed then I feed that baby first, and then I go to the other children.



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Q. When you refer to "baby" in this context are you talking about infants that might have been assigned to Room 418?

A. Right. Correct.

Q. And with respect to Room 421 we know you had two patients there.

A. Yes.

Q. Can you help me, please, were those, the children in Room 421, generally speaking toddlers or older children?

A. No, toddlers. Also little, small ones.

Q. What about Room 426?

A. In 26 could be either small or bigger children. It depends.

Q. Were infants assigned to that room?

A. Sometimes too, but seldom. Most of the time they are in 21 or 18.

Q. All right. Do I understand you to be saying then as a matter of normal routine when you had a patient in 418 or more than one and patients in other rooms, you went to 418 first following report at the beginning of your shift?

A. Correct.



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Q. You would at that time take that patient's vitals and feed the child if he or she was to be fed at that time?

A. That is correct, yes.

Q. To the best of your recollection is that the pattern you followed the night that Real Gosselin died?

A. Yes. I always do the same pattern, yes.

Q. Do you recall now having observed what condition Real Gosselin was in at the beginning of your shift when you were in Room 418?

A. No, I don't recall. Sorry.

Q. One way or the other?

A. Right.

Q. Do you recall now what condition your own patient was in in Room 418 that night?

A. No, neither.

Q. You don't recall whether he or she was particularly sick --

A. No.

Q. -- or relatively stable?

A. No, I don't recall.

Q. At any point that night in



1
CC3 2 Room 418, Mrs. Christie, did you observe anyone
3 feeding Real Gosselin?

4 A. I don't recall that.

5 Q. You don't recall one way or
6 the other?

7 A. Right.

8 Q. Again at any point that night
9 while you were in Room 418 or while you were perhaps
10 passing it in the hall, did you observe anyone
11 administering any medications to that child?

12 A. I don't recall that.

13 Q. You don't recall one way or
14 the other?

15 A. One way or the other, no.

16 Q. At some point during the
17 night I take it you would have been made aware of
18 the fact that the child was experiencing difficulty?

19 A. Yes.

20 Q. Did you hear a Code 25 being
21 called with respect to the child?

22 A. I don't recall it.

23 Q. Do you recall whether or not
24 you were present during the resuscitation effort
25 of this child, if only for a few minutes at the
beginning as was sometimes your habit?



CC4

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A. Yes, I would be, yes.

3

Q. Well, I recognize it is

4

difficult and it is perhaps attempting to try and

5

reconstruct events after all this time, but do you

6

specifically recall any of the circumstances with

7

respect to this child's attempted resuscitation that

8

night, including whether or not you were there?

9

Do you specifically recall?

A. No, I don't.

10

Q. Do you recall any discussion

11

that night after the child was pronounced dead as to

12

the circumstances of his death or as to any concerns

13

which anyone on the ward might have had about the

14

fact that he had died when he did die?

A. No.

15

Q. Were you subsequently made

16

aware of any concerns of that kind?

17

A. I don't remember. I can't

18

say.

19

Q. Again it is possible but you

20

don't recall one way or the other?

A. Yes.

21

Q. To the best of your recollec-

22

tion, Mrs. Christie, and this may be evident from

23

your other answers, but did you at any time that

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night while you were in Room 418 observe anything that you regarded as unusual with respect to that child?

A. I can't remember.

Q. Would it be fair of me to suggest that if you had observed something that you regarded as unusual, it is perhaps more likely that you would remember that than remember specific times where you were so many years ago?

A. Correct.

Q. Could I ask you to think as well about the death of Stephanie Lombardo which took place in December. This was a child who died, as I understand it, when you were absent from the Hospital.

A. Yes.

Q. As I understand it you were absent from the Hospital on December 19th through to December 26th inclusive. Is that correct?

A. Correct. Right.

Q. You were not on duty the night that Stephanie Lombardo died, and I suggest to you that based on my review of the WIN sheets that you didn't return to the Hospital until the long night shift on the night of December 27th. Is



1
CC6 2 that correct?

3 A. Right.

4 Q. Do you recall any mention
5 being made when you came back in to work after
6 Christmas on December 27th to the as to the fact that
7 a patient had died on the wards while you were away?

8 A. I don't recall that, no.

9 Q. The night that you did come
10 in, on December 27th, however, as I understand it
11 there was another death on the wards. At least
12 another child who ran into difficulty on the next
13 day, December 28th.

14 You worked the long night on December
15 28th, as I understand it?

16 A. December 28? Right, yes.

17 Q. And having regard to the fact
18 that it was the Christmas season, Mrs. Christie,
19 we have heard evidence from others that Wards 4A and 4B
20 were amalgamated or joined for the Christmas period,
21 and certainly were on December 28th being treated
22 as one ward. Does that accord with your recollection?

23 A. That is correct, yes.

24 Q. On December 28th as I under-
25 stand it you had some seven patients, and because the
wards were joined you had a patient on Ward 4B, but as



CC7 2 well you had some six patients on Ward 4A.

3 Do you recall that?

4 A. Correct, yes.

5 Q. Do you remember, Mrs.

6 Christie, at any time being in Jesse Belanger's
7 room on December 27th, the night before he died?

8 A. No, I don't remember.

9 Q. Do you remember this patient
10 at all?

11 A. No.

12 Q. Do you recall any discussion
13 with respect to his condition on December 27th before
14 you left at the end of your shift?

15 A. No, I don't recall.

16 Q. When you came in December 28th
17 for long night duty, I take it you would have arrived
18 at your usual time (that is approximately seven
19 o'clock at night)?

20 A. Right.

21 Q. When you arrived at work were
22 you informed that Jesse Belanger or at least a
23 patient on Ward 4B was in some difficulty?

24 A. Not that I recall; not that
25 I remember, no.

Q. Do you remember when you came



CC8

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in that night whether there was any special activity
going on on either 4A or 4B?

3

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A. Not at that time, I don't
think so. We had report first. I was not aware if
they had any difficulty on B side, no.

5

6

7

Q. And you don't recall being
aware of any when you came in to work?

8

9

Q. Did you subsequently learn
during the course of that shift that a child had
died on Ward 4B?

10

11

12

A. Later, yes.

13

Q. That was Jesse Belanger?

14

A. Yes.

15

16

Q. Do you recall any discussion
about the circumstances of his death by any of the
nurses on Wards 4A or 4B that night?

17

18

A. No, I don't remember. I don't
recall.

19

20

Q. During the course of the long
night shift I take it once again as you had the
same patients that night as you had the night before
you would have been on Ward 4B and on Ward 4A
throughout the evening?

21

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23

A. Right.

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CC9

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Q. And you do not recall any discussion amongst any of the nurses or any of the physicians on 4B or 4A with respect to that death, that child's death?

A. I don't remember. I don't recall.

Q. Can we turn then, or perhaps before we do, the next child who died you may recall, Mrs. Christie, is Janice Estrella who died on January 11th at approximately 3:22 in the morning.

Before we come to discuss her death in some detail, you told me earlier this morning as I recall it that by November or December you had observed that there had been an unusually large number of deaths on the cardiac wards. Do I have that correctly?

A. Correct, yes.

Q. Can you help me, Mrs. Christie, as to what it is that helps you to place in your mind that it was November or December as the time when you made this observation, or when it came home to you that there had been so many deaths?

A. I remember after always working nights and going home my husband picked me up usually on weekends so I went and I had been upset so I told



CC10

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him what was the reason why, and so I said we lost again another baby. And so I said I just don't understand how come we are losing so many babies and they always die on our shift when we are on. I just couldn't understand that, why.

7

8

9

Q. I take it from what you said that you observed as well at that time that they were happening not only when your own team was on but during the early hours of the night shift?

10

A. Right.

11

12

13

Q. Was there a death of a particular child which really brought it home to you that there had been a somewhat unusual number of deaths?

14

15

A. Unusual number of deaths? You mean in one month or all the time or...?

16

17

18

19

Q. You told me earlier this morning that the first time you personally observed that there had been a higher than normal or higher than usual number of deaths was in November or December.

20

21

A. Right.

22

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Q. And I take it you were referring to the deaths which had occurred in the preceding months as well as the deaths which took place in



CC11

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November and December? Am I correct?

3

A. Correct.

4

Q. My question to you was there

5

a particular death in either of those months, in

6

November or December, that caused you to think back

7

over the other deaths which had taken place and

8

which had led you to make the observation in your

9

own mind that there really had been an unusually
high number?

10

A. Yes. I had been thinking

11

it was a high number of deaths, yes, but I couldn't

12

figure out how come. I thought maybe all those

13

babies, they are very sick, and that is what I

14

thought, and maybe I thought they are just co-

15

incidence and bad luck on our team, something to do
with that.

16

Q. All right. You have told me

17

two things that are helpful, Mrs. Christie, but the

18

one I for the moment was after is perhaps not there

19

to be found.

20

I take it there is no particular

21

child that caused you to think about these deaths

22

as a group? It was just something that came to you

23

in November and December when you realized that these

24

deaths were occurring again at night when your team

25



Christie
dr.ex. (Cronk)

1
CC12 2 was on duty? Is that fair?
3 A. Correct, yes.
4 Q. And you told me that you
5 thought perhaps it was a matter of bad luck or
6 coincidence?
7 A. Right.
8 Q. And was it to those factors
9 that you attributed the fact that so many children
10 were dying again when your team was on duty and
11 again seemingly only at night?
12 A. Right.
13 Q. Did any other possible
14 explanation occur to you at the time?
15 A. No. I just thought they
16 must be very sick, that's all.
17 Q. Well, had you, Mrs. Christie,
18 in your experience at The Hospital for Sick Children
19 over those many years ever before observed such a
20 large number of deaths on the cardiac wards --
21 A. No, never ever.
22 Q. -- in such a short period?
23 A. No, we never ever used to
24 have them, no.
25 Q. This was indeed in your
experience quite unusual?



CC13

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A. Yes.

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Q. Did you at the time of making those observations, or when it came home to you and you discussed as you said you did with your husband that there seemed to be these features about the deaths, that there was more than usual, happening at night, happening when your team was on duty, did you discuss those features or those facts with anyone else on Ward 4A?

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A. I think we -- nurses had been talking about it, yes, and we just couldn't -- didn't find any answers to that. We didn't know how come they just happened on our shift too.

14

Q. It seemed a puzzle?

A. Right, it was a puzzle.

Q. Did you feel that was a puzzle that was explained by bad luck or coincidence?

A. That is right.

Q. Do you personally remember having discussed your own observations in that regard with any of the nurses on 4A?

A. I don't remember exactly, but we had been talking about that, yes.

Q. Is it your recollection you were talking about it as well?



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A. Well, sometimes, yes. Not all the time, but sometimes, yes.

Q. Do you recall specifically whether or not you discussed^{it} with your head nurse, Mrs. Radojewski.

A. No.

Q. -- or with your team leader, Mrs. Trayner?

A. Trayner, yes, and the other nurses, but not with Mrs. Radojewski.

Q. Was it your impression that it was rather common knowledge on ward 4A at that time that these deaths were happening particularly at night and particularly when members of your team were on duty? Was that something all the nurses seemed to know?

A. Yes, they all seemed to know that. Right.

Q. It was a matter of discussion I take it by a number of nurses at that time, not only yourself?

A. Right.

Q. Then we come to the death of Janice Estrella, Mrs. Christie. As I have suggested she died on January 11th in the early hours



CC15

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of the morning, and this time I would ask you to
look at the assignment book, but it is a different
exhibit.

5

Mr. Registrar, exhibit 32A, please.

6

A. Yes, I've got it.

7

8

Q. Thank you. I ask you to look
at Tab 13, please, page 39. Do you have that, Mrs.
Christie?

9

A. I do.

10

11

12

13

14

Q. According to the assignment
and
book, Mrs. Christie, I would ask you to confirm this
from your own recollection, you worked a twelve hour
long night shift on ward 4A on the night of January
10th? That is the night Janice Estrella died.

15

A. Right.

16

17

18

Q. And you had that evening some
six children in three different rooms on ward 4A;
two in room 425, two in room 421 and two in room
426?

19

A. Correct.

20

21

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Q. And it would appear according
to the assignment books, and we have heard this
from others, that Janice Estrella was in room 423
on constant nursing care, in the care of Mrs. Scott.



CC16

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A. Right.

3

Q. That is your recollection as

4

well?

5

A. Yes.

6

Q. And the other members of your

7

team that were on duty that night were Mrs. Trayner

8

who was in charge, although she did not have any

9

patient assignments?

10

A. Right.

11

Q. And as well Miss Brownless

12

who appeared to have four children in room 418?

13

A. Yes.

14

Q. Susan Nelles was not on duty

15

that night?

16

A. No she was not.

17

Q. Mrs. Christie, did you for

18

any reason go into room 423, Janice Estrella's room,

19

that night before her arrest?

20

A. Once I dropped in. Only the
door was open so I just wanted to see if Sui needs
something, but Sui was reading a book so I just left.

21

Q. You didn't actually go into
the room?

22

A. Well, just -- not in the room.

23

Just the door was opened so I just stand near the

24

room - near the door.

25



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Q. Did you have any discussion
with Mrs. Scott?

A. No. No, she was reading
her book, I didn't bother her, no.

Q. Did she even know you were
there?

A. No, she didn't, I don't
think so.

Q. What did Janice Estrella's
condition appear to be or indeed could you even
observe the child from where you stood at the door?

A. She was sleeping, she was
asleep.

Q. All right. Did you have the
impression that she was in any degree of difficulty
of any kind?

A. No, no. I didn't go further
because it was an isolation room, it was isolation
room, so, I didn't go inside, no.

Q. Do you recall what time of
night it was, Mrs. Christie, that you stopped by
Janice Estrella's door and saw Mrs. Scott reading
a book?

A. It could be maybe about -
I am not quite sure, it could be maybe after 1 or



1
2
3 it could be before, I am not quite sure.

4 Q. You don't know the time one
5 way or another?

6 A. No, not exactly.

7 Q. When did you take your first
8 coffee break that evening, Mrs. Christie?

9 A. About 10:30 to 11.

10 Q. All right. Do you specifically
11 recall taking your break at that time?

12 A. I remember it was about
13 something like that, yes, it could be maybe 10:30
14 to 11.

15 Q. When did you normally take
16 your break?

17 A. We normally take it at about
18 10:30 to however time it permits, it could be until
19 12 or it could be - whenever we are available, you
20 just don't have any set up breaks you just take it
21 whenever you can.

22 Q. Well, if you took a coffee
23 break at 10:30, Mrs. Christie, would you remain
24 on your break until 12 o'clock, an hour and a half?

25 A. Oh, no, no, that was just a
short coffee break.

Q. All right.



1
2 A. That would be maybe for a half
3 an hour at that time. It depends, sometimes you can
4 take longer but at that time it was only a half an
5 hour.

6 Q. And your best recollection is
7 that on the night of January 10th you did take your
8 break at your normal time between 10:30 for about
9 a half an hour?

10 A. Maybe it was after 10:30,
11 maybe it was 11, yes, not exactly but it could be
12 11, yes.

13 Q. And where did you take your
14 break that night?

15 A. At the nurse's station. We
16 always have breaks there at the nurse's station.

17 Q. Can you tell me please who
18 was at the nursing station when you arrived for your
19 break?

20 A. At the nurse's station,
21 Janet Brownless had been there and I saw Bertha
22 Bell and other nurses from B side. I don't recall
23 all the names. Phyllis Trayner, I saw Phyllis
24 Trayner too, and then I saw Sui Scott, she came
25 out too for a short time, maybe for 10 minutes.

Q. All right.



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THE COMMISSIONER: I am sorry, are we talking about - when is this, is this the break, the coffee break?

5

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THE WITNESS: The coffee break, about 11 o'clock, not lunch.

7

8

THE COMMISSIONER: You saw Sui Scott and Phyllis Trayner?

9

10

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THE WITNESS: Right, right, together, yes.

14

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MS. CRONK: Q. Well, Mrs. Christie, could we deal with a number of aspects of this. Do you recall whether or not Mrs. Trayner was at the nursing station when you arrived at the beginning of your break?

21

22

23

24

25

A. Yes, she was.

Q. Was Mrs. Scott there then?

A. No, she came and I think we had coffee already, we made coffee earlier and Mrs. Scott got a cup of coffee and she stayed at the nursing station but she didn't stay too long, no, maybe 10 minutes or so.

Q. Were you aware at the beginning of that shift, Mrs. Christie, that Janice Estrella was on constant nursing care?

A. Yes, I was aware. I just



Christie, dr.ex.
(Cronk)

1
2 thought, how come they are both here, both leaving
3 Estrella, somebody should be in Estrella's room,
4 but ...

5 Q. Well, how long were you at
6 the nursing station with Mrs. Trayner and the others
7 that you have identified before Mrs. Scott arrived?

8 A. Maybe five or ten minutes.

9 Q. All right. And then Mrs.
10 Scott came out to the nursing station?

11 A. Right, right.

12 Q. Did you see where she was
13 coming from?

14 A. No, I hadn't seen her coming,
15 only I saw her at the nursing station getting coffee.

16 Q. All right. She came to the
17 nursing station and got a coffee?

18 A. Right.

19 Q. Did she take the coffee back
20 with her and leave or did she sit down?

21 A. No, she stayed at the nursing
22 station for about 10 minutes or so.

23 Q. And what did Mrs. Trayner do
24 at that point?

25 A. I don't remember what she did,
I can't recall, but I saw her --



1

2

THE COMMISSIONER: Can you just hold
this for a moment. You were there both the Friday
and the Saturday, is that right. You were there
and Janice Estrella was on constant nursing care
both nights?

6

7

THE WITNESS: It was Saturday, yes.

8

THE COMMISSIONER: We are now talking
about the Saturday, are we?

9

THE WITNESS: Yes, we are.

10

THE COMMISSIONER: You're sure we
are not talking about the Friday?

11

12

THE WITNESS: No. Oh, no, that is
Friday and Saturday, that's right, it's Friday
night, yes.

13

14

THE COMMISSIONER: But which one are
we talking about. We are talking about you having
a break and finding Phyllis Trayner at the nursing
station.

15

16

THE WITNESS: Yes.

17

THE COMMISSIONER: And Sui Scott coming
later.

18

19

THE WITNESS: Yes.

20

THE COMMISSIONER: Is that the Friday
or the Saturday?

21

THE WITNESS: I think Friday, I think

22

23

24

25



Christie, dr.ex.
(Cronk)

1
2 Friday at 11 o'clock.

3 THE COMMISSIONER: This is all Friday
4 is it?

5 THE WITNESS: Still Friday.

6 THE COMMISSIONER: This is not the
7 night that Janice Estrella died?

8 THE WITNESS: Well, she died later
9 during the night, yes, but that is the same --

10 THE COMMISSIONER: I am sorry, have
11 I got this wrong?

12 MS. CRONK: I think so, sir. Could
13 I just --

14 THE COMMISSIONER: Yes, all right.

15 MS. CRONK: Q. We know, Mrs. Christie,
16 that Janice Estrella died during the long night
17 shift that commenced on January 10th.

18 A. Yes.

19 Q. She in fact died early in
20 the morning on January 11th?

21 A. Yes.

22 THE COMMISSIONER: What day of the week
23 is that?

24 MS. CRONK: That is Saturday, January
25 10th, sir.

THE WITNESS: That is Friday night and



Christie, dr. ex.
(Cronk)

1

2

she died in the morning --

3

4

MS. CRONK: No, Mrs. Christie, I
am sorry, would you just give me a moment here.

5

6

THE COMMISSIONER: When did she die?
She died on --

7

8

MS. CRONK: She died on Sunday,
January 11th, sir.

9

10

11

12

THE COMMISSIONER: That's what I
thought, that's what I thought. I just wanted to
get this cleared up which night are we talking about.
Are we talking about the night just before the
morning in which the child died?

13

14

15

16

THE WITNESS: Correct.

THE COMMISSIONER: We are really
talking about the Saturday, is that right?

17

18

THE WITNESS: No, we are still talking
about Friday.

19

20

21

THE COMMISSIONER: You will have to
help me on this.

THE WITNESS: That's Friday night at
11 o'clock, that is still Friday, until 12 o'clock
it is Friday.

22

23

24

25

MS. CRONK: Well, I have been wrong
today once already, Mrs. Christie, it may be that
I am wrong again but we will try.



Christie, dr.ex.
(Cronk)

1

2

Q. Could I ask you to look

3

please, you do have page 38 open?

4

A. Correct.

5

Q. Right?

6

A. Right.

7

Q. You will see there that

8

that is the long night nursing shift for the night
of January 10th.

9

A. Correct.

10

Q. All right. And in the

11

assignment book that's recorded as a Saturday night.

12

A. Saturday night?

13

Q. Yes, on the top left hand

14

corner of the page, Saturday, January 10th, is that
right?

15

A. Oh, sorry.

16

Q. No, that's all right.

17

A. Oh.

18

Q. And could I ask you to go

19

back and look if you would --

20

A. I thought it was Friday.

21

Oh, sorry, that's my mistake in that case.

22

THE COMMISSIONER: The funny thing

23

is it could have **been** the Friday just as well as the
Saturday because it is exactly the same nurses

24

25



1
2 involved.

3 THE WITNESS: You are right, yes, that's
4 Saturday.

5 THE COMMISSIONER: It's the Saturday
6 that we are talking about now.

7 THE WITNESS: Right, still Saturday.
8 I am sorry, that's my mistake, I thought it was
9 Friday night, yes.

10 THE COMMISSIONER: Well, as long as
11 you know that that is the night that the baby died
12 then it is Saturday.

13 THE WITNESS: Right.

14 THE COMMISSIONER: But on the other
15 hand it could just as well have been Friday because
16 there were the same people there, Mrs. Trayner and
17 Mrs. Scott and yourself were all there on the Friday
18 as well and Janice Estrella was in the same room
19 under constant nursing care with Mrs. Scott Friday
20 night as well as Saturday night. Am I not right on
21 that, Miss Cronk?

22 MS. CRONK: Yes you are, sir.

23 THE COMMISSIONER: I am right. So,
24 just take as long as you want but if you are
25 convinced that that is the night the baby died there
is no question that it is the Saturday night.



1
2 THE WITNESS: No, right, Saturday
3 night, that's right.

4 THE COMMISSIONER: Yes, all right.

5 MS. CRONK: Q. Thank you, Mrs.
6 Christie. Mrs. Christie, I would ask you to think
7 carefully about the hours that night before midnight.

8 A. Yes.

9 Q. Are you quite certain in your
10 own mind that Mrs. Scott and Mrs. Trayner were
11 together at the nursing station as you have described
12 it while you were on your first coffee break shortly
13 after 11 that night?

14 A. Yes, I'm quite sure they both
15 had been at the same time at the nursing station,
16 yes.

17 Q. And you told us that Mrs.
18 Scott arrived after Mrs. Trayner?

19 A. Correct.

20 Q. When she came out to the
21 nursing station was there any discussion that you
22 overheard between Mrs. Scott and Mrs. Trayner?

23 A. No, no discussions, no.

24 Q. Did any of the nurses who were
25 at the nursing station including yourself ask either
Mrs. Trayner or Mrs. Scott who was attending to



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2

Janice Estrella?

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A. No, I don't believe anybody
did, no.

4

5

Q. Well, you have told us that

6

you knew Janice Estrella was on constant nursing

7

care and you wondered who was taking care of the

8

child when you saw them both at the nursing station,
do I have that correctly?

9

A. Correct.

10

Q. With that in mind, did it

11

occur to you to go and see who was looking after

12

Janice Estrella or to raise the matter with either
of those nurses?

13

A. I just thought maybe she had

14

come to get a coffee and was going back right away.

15

Q. But you have told us that that

16

is not what happened?

17

A. No, she stayed a little longer.

18

Q. And during the time that

19

Mrs. Scott was at the nursing station did Mrs.

20

Trayner remain at the nursing station or is it

21

possible that she got up when Mrs. Scott arrived

22

and went back down the hall into Janice Estrella's
room?

23

A. It's possible, it could be.

24

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Christie, dr.ex.
(Cronk)

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Do you recall one way or the other whether or not Mrs. Trayner did get up when Mrs. Scott arrived and left the nursing station?

A. I don't recall exactly if she stays there all the time but I recall that she did at one point but later it could be that she went back to that room, could be.

Q. All right. Well, my question to you is, do you have any recollection of which you are certain in your own mind as to how long Mrs. Trayner and Mrs. Scott were together at the nursing station during that break?

A. I saw Mrs. Scott about 10 minutes, 10 to 15 minutes.

Q. All right, you have told us that.

A. That she stayed at the nursing station.

Q. What I am now asking you is, do you know how long Mrs. Trayner was there while Mrs. Scott was there?

A. I don't remember that, no.

Q. It's possible then I take it that she could have left the nursing station very shortly after Mrs. Scott arrived and either gone



14 1
2 into Janice Estrella's room or indeed gone elsewhere
3 on the ward, that's possible?

4 A. She could, that's possible.

5 Q. You don't recall one way or
6 the other?

7 A. Correct.

8 Q. All right. At any point while
9 you were at the nursing station during your coffee
10 break that night did you notice whether or not the
11 intercom was on in Room 423, Janice Estrella's
12 room?

13 A. No, it wasn't on.

14 Q. Well, did you look to see if
15 it was on?

16 A. No, but you could hear it, you
17 would be able to hear it and it wasn't on, not to
18 my knowledge, no.

19 Q. Do you recall that specifically?

20 A. Yes.

21 Q. I am obliged to tell you, Mrs.
22 Christie, as you know, that Mrs. Scott had given evidence
23 over the last several days before the Commissioner,
24 indeed, I believe this morning you were here for
25 part of Mrs. Scott's evidence, do I have that
correctly?



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2

A. Yes.

3

Q. And during Mr. Lamek's re-

4

examination of Mrs. Scott he asked her about her
first coffee break that evening and whether or not

5

Mrs. Trayner had relieved her in Janice Estrella's
room for the entire length of her first coffee

6

7

break. Do you remember hearing that discussion this
morning?

8

9

A. I remember, yes.

10

Q. And I am obliged to tell you

11

that Mrs. Scott's evidence in that regard is that

12

she took her first coffee break between 10 and 10:30

13

in the evening on the night of January 10th, that

14

Phyllis Trayner relieved her for that break and

15

that Mrs. Trayner was with Janice Estrella the

16

entire time that Mrs. Scott was on her coffee

17

break. Now, if that be so, her recollection is

18

somewhat different than your own as to what happened
on that coffee break; is that correct?

19

A. Correct.

20

Q. Mrs. Scott has however

21

testified that later on during the shift that she

22

took a lunch break between she believes 1:30 a.m.

23

and 2:00 a.m. and that Mrs. Trayner again relieved

24

her for that break. She has also testified that

25



1
2 during that lunch break, that is, at approximately
3 2 o'clock in the morning Mrs. Trayner came out to
4 the nursing station while Mrs. Scott was still there
5 and sat down to do some paper work, that Mrs. Scott
6 was concerned about Janice Estrella being left alone,
7 poured herself a coffee, got up from the nursing
8 station and immediately went back into Room 423,
9 and that she has testified occurred at approximately
10 2 o'clock in the morning, now into the Sunday
11 morning on January the 11th.

12 My question to you, Mrs. Christie,
13 is it possible that the incident that you observed
14 did not occur at your first coffee break that night
15 around 11 o'clock but rather occurred later in the
16 morning at approximately 2 o'clock; is that possible?

17 A. I saw her twice when she came
18 back, came for her coffee break once about 11 and
19 one time it was about 1 o'clock, that's what I
20 recall.

21 Q. Who did you see twice?

22 A. Sui Scott at the nursing
23 station.

24 Q. All right. Well, when did you
25 take your second lunch break that night?

A. Between 1 and 2.



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Q. Can you help me as to how
you know it was between 1 and 2?

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A. Because at 2 o'clock I had
to feed my babies in 21, I had to take signs and
feed them, so that I took my break before that.

7

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Q. How long was your break that
night?

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A. I don't remember exactly, but
probably maybe a half an hour or something like that
or three-quarters of an hour.

11

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Q. How long did you usually take
for your lunch break?

13

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A. It depends, when we have a
short coffee break, so, maybe lunch break will be up
to one hour.

15

16

17

Q. And you don't recall how long
it was that night, but it would be approximately
a half an hour anywhere up to an hour, is that fair?

18

19

20

A. Correct.
THE COMMISSIONER: She said a quarter
of an hour up to ...

21

22

MS. CRONK: And then I thought she said
up to an hour.

23

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25

THE COMMISSIONER: Well, that was the
general break but I thought you said it was a



Christie, dr.ex.
(Cronk)

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a quarter to a half an hour this day.

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THE WITNESS: No, not quarter, we
take about a half an hour for the first break and
then the second break is a little bit longer.

5

6

THE COMMISSIONER: I see, all right,
thank you.

7

8

THE WITNESS: You're welcome.

9

10

A. Yes.

11

12

Q. When you say that you saw
Mrs. Scott on two occasions when was the second time
that you saw her and where did you see her?

13

14

A. That was after 1 o'clock at
the nurse's station again.

15

16

Q. What was she doing at the
nursing station?

17

18

THE COMMISSIONER: Well, first of all,
did she come after you were there or before?

19

20

THE WITNESS: No, she came while I
had been there already, I think before.

21

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THE COMMISSIONER: Okay.

MS. CRONK: Q. Well, when you arrived
at the nursing station for your lunch break that
night, Mrs. Christie, who was there when you got there?



Christie, dr.ex.
(Cronk)

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A. Some nurses from B side and from our side. Almost it seems to me like all the nurses were there.

Q. Do you recall whether or not Mrs. Trayner was there when you arrived?

A. At the one point yes, first she was there when I came, yes.

THE COMMISSIONER: I am sorry, the question was, was Mrs. Trayner there when you arrived.

THE WITNESS: Oh.

THE COMMISSIONER: She came afterwards. Did she come before or after Mrs. Scott. I take it she was not there when you arrived?

THE WITNESS: No, I think she was there when I arrived, that's right.

THE COMMISSIONER: Yes, all right.

THE WITNESS: I think she was there already.

MS. CRONK: Q. Do you recall how long you had been at the nursing station on your lunch break before Mrs. Scott came out to the nursing station. How long was it?

A. Maybe 10 minutes when I had been there, 10 minutes I stayed there, I stayed there before she came.



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Q. And when she arrived were you sitting having coffee and your lunch?

A. Correct.

Q. What was Mrs. Trayner doing, was she still there?

A. She probably had her lunch but I don't recall if she sat there all the time, I have no recollection.

Q. Do you remember, I thought you were suggesting, Mrs. Christie, do you remember whether or not Phyllis Trayner was at the nursing station when you were there having your lunch break and when you saw Sui Scott come out and come to the nursing station?

A. If Mrs. Trayner was there?

Q. Yes.

A. I think so, yes.

Q. Do you recall how long Mrs. Scott stayed at the nursing station when she came out?

A. Not too long, 10 or 15 minutes, that's all I remember.

Q. And once again what did she do while she was there?

A. She just took a coffee again, or



1
2 tea, because usually we have either coffee or tea
3 and whoever wants coffee drinks coffee and whoever
4 wants tea makes tea, but she didn't stay too long
5 and she left.

6 Q. Did Mrs. Trayner, that you can
7 recall, get up and leave the nursing station when Mrs.
8 Scott arrived and go back to Janice Estrella's room?

9 A. I haven't seen her, I haven't
10 seen that, I don't know.

11 Q. Do you recall one way or the other
12 whether she did so?

13 A. Maybe she did.

14 Q. It is possible that she did?

15 A. It is possible, yes.

16 Q. Do you have any recollection with
17 any degree of certainty in your mind as to how long
18 Mrs. Trayner and Mrs. Scott were at the nursing
19 station together during that lunch break, was it a
20 matter of minutes, a minute, longer, or do you know?

21 A. I think they had been there
22 maybe ten minutes together what I can recall.

23 Q. Do you have a specific recollection
24 one way or the other?

25 A. I don't remember exactly, no.

Q. I am suggesting it is possible it



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was a minute or two; that is possible, I take it?

3

A. It could be.

4

Q. It is also possible it was
longer.

5

A. It is possible.

6

Q. You don't recall?

7

A. No, I don't recall.

8

Q. Do you recall, Mrs. Christie,
whether or not the intercom for Janice Estrella's
room was on during that lunch break when you saw
Mrs. Scott and Mrs. Trayner at the nursing station?

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11

A. No, it wasn't on, no.

12

Q. Do you recall whether or not
Mrs. Trayner said anything to Mrs. Scott when she came
up to the nursing station?

13

14

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A. No.

16

Q. Was there any discussion between
the two at all that you overheard?

17

18

A. No, I didn't overhear anything.

19

THE COMMISSIONER: Unfortunately, I
think in this case - do you remember whether there
was or whether there was not, or do you remember that
there was no conversation between them?

20

21

22

THE WITNESS: Maybe if they had been
talking about - probably they were talking about something

23

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2 but I don't recall what it was, no. It could be they
3 were talking about something.

4 Q. Mrs. Christie, let me explain
5 the difficulty I am having, and it is perhaps the same
6 one, although I don't know, the same one as the
7 Commissioner is having. My question to you is, do you
8 specifically recall in your own mind whether there
9 was any discussion between the two women? I am asking
10 you not to speculate, and not to try to reconstruct
11 what happened, do you remember one way or the other
whether there was any discussion between them?

12 A. I don't remember, no.

13 Q. I take it then once again there
14 could well have been, and equally there may not have
15 been, you can't help us.

16 A. Correct.

17 Q. You have told me that you do not
18 recall the intercom for Room 423 being on during
the luncheon break on this occasion.

19 THE COMMISSIONER: That is what she
20 said, she said it was not on, that is at least what I
21 have got.

22 Q. Do you not recall it being on?

23 A. No, off.

24 THE COMMISSIONER: She said it was not on.
25



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THE WITNESS: Right.

3

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THE COMMISSIONER: But I am not sure,
you remember it was not on?

5

THE WITNESS: No, it was not on, no.

6

THE COMMISSIONER: That is quite
different.

7

MS. CRONK: I'm sorry, sir.

8

THE COMMISSIONER: From what you recall.

9

MS. CRONK: That was my next question.

10

THE COMMISSIONER: Yes.

11

12

13

Q. Whether or not you had any
specific recollection as to whether anyone in any
way touched the intercom to that room when you were at
the nursing station.

14

A. No.

15

Q. You do not recall?

16

A. No.

17

18

19

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THE COMMISSIONER: You have to be
awfully careful under these circumstances, because I
don't think you quite understand the difference. Are
you telling us that the intercom was not on, that
you remember it was not on?

21

A. No, it was not on.

22

23

THE COMMISSIONER: I think that's the
answer but you can follow it up further if you want to.

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Q. Well, my only concern, Mrs. Christie, is how you know that.

A. Usually you could hear it on the intercom, but it wasn't on, no.

Q. During the period of time that you were at the nursing station, do you recall the identity of any of the other women who were there with the exception of Mrs. Trayner and Mrs. Scott; leaving Mrs. Trayner and Mrs. Scott aside, do you remember who else was there from either 4A or 4B?

A. Miss Brownless was there; I am not sure if she was, maybe she was, and Mrs. Lyons and Bertha Bell I believe was there.

THE COMMISSIONER: I'm sorry, what was the last name?

THE WITNESS: Lyons, Mrs. Lyons.

THE COMMISSIONER: Yes.

THE WITNESS: And Bertha Bell.

THE COMMISSIONER: And Bertha Bell?

THE WITNESS: Yes. I think Janet Brownless was there, too, and Shirley Ann Parcels was there, Shirley Ann Parcels from B side was there and there was another nurse on the B side, I don't recall exactly.

Q. Do I have it, Mrs. Christie,



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that it is your specific recollection that not once but twice during the course of that 12 hour long night shift you saw Mrs. Scott and Mrs. Trayner together at the nursing station although Janice Estrella was on constant nursing care?

A. Yes.

Q. And that is a clear recollection in your mind?

A. Yes.

Q. If that be so, Mrs. Christie, that means that on two separate occasions, although the child was assigned constant nursing care, neither the nurse who had been assigned to care for her, nor the team leader, were in her room on two different occasions.

A. Right.

Q. To the best of your knowledge did anyone at the nursing station during the luncheon break, when you observed Mrs. Trayner and Mrs. Scott there, question the fact that neither of them was in Janice Estrella's room?

A. No, nobody questioned them.

Q. Did you make any remark or raise the matter at any time?

A. No, I didn't.



1
2 Q. Were you not as surprised then as
3 you had been earlier in the evening to see that
4 happen again?

5 A. Yes. I had been surprised but
6 maybe I should have gone and checked if somebody was
7 in that room, but I didn't.

8 Q. Once again, Mrs. Christie, and
9 I am obliged to tell you that Mrs. Scott's
10 recollection I suggest conflicts with yours. She
11 testified that she arrived at the nursing station
12 immediately after, as best she can recall it, at
13 1:30 in the morning, and that you were there then.
14 However, that Mrs. Trayner relieved her and did not
15 come up from Janice Estrella's room until approximately
16 2:00 that night. That when she did come Mrs. Trayner
17 sat down and turned the intercom on. Stopping
18 there for a moment, that is not consistent with your
19 recollection.

20 A. No.

21 Q. Mrs. Scott has further testified
22 that when Mrs. Trayner came out to the nursing station
23 she, Mrs. Scott, poured herself another cup of coffee
24 and immediately went back to Janice Estrella's room.
25 Now, as I understand it you have told us you can't
recall how long Mrs. Trayner and Mrs. Scott were



1
2 together at the nursing station, is that correct?

3 MR. ROLAND: Just so the evidence is
4 put to the witness accurately, I have it at page 7039
5 and this is Volume 119, Mrs. Scott said that period
6 was not more than five minutes, she talks of
7 immediately and I think it may have been a little
8 more than immediately, she said not more than five
9 minutes.

10 THE COMMISSIONER: Yes.

11 MS. CRONK: I was referring, sir, to the
12 evidence which appears at Page 6868 of Volume 118.
13 I am not sure that - I will accept Mr. Roland's
14 comment.

15 Q. I just simply want to confirm,
16 Mrs. Christie, that you are not certain how long the
17 two were together at the nursing station, is that
18 fair?

19 A. I think I saw Sui Scott sitting
20 there maybe ten minutes.

21 Q. I understand that. I gather
22 from what you have told us before that you are not
23 certain how long the two of them were there together.

24 A. No.

25 Q. Is that fair?

A. That's fair.



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MS. CRONK: Sir, may we take our break now?

THE COMMISSIONER: Yes, all right, we will take 20 minutes.

---Short recess.

---Upon resuming.

THE COMMISSIONER: Yes, Ms. Cronk.

MS. CRONK: Thank you, sir.

Q. Mrs.Christie, you told us on one occasion on the night of January 10th when you went to the door of Janice Estrella's room to see if Mrs. Scott needed anything that she was reading and you left as I understand it, right?

A. Yes.

Q. Then recalling the times at which you took your coffee break and later took your lunch break, does that assist you in any way in placing the time at which you went to Janice Estrella's room with the intention of seeing if Mrs. Scott needed anything; does that help you in any way?

A. I couldn't tell exact time, I couldn't say exact time, but it was between first lunch and second lunch.

Q. Between your first coffee break and lunch?



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2

A. Right.

3

Q. Did you, apart from that one

4

occasion, ever again go into Janice Estrella's room

5

or to the door of her room that night prior to her

6

arrest?

7

A. No.

8

Q. I take it, however, at some

9

point that night you did learn that Janice Estrella
was in difficulty?

10

A. Yes.

11

Q. Now we know, Mrs. Christie, from

12

the assignment book that you had patients that night

13

in Room 421 and in Room 425.

14

A. And 426.

15

Q. I am suggesting 421 and 425, is

that right?

16

A. That's right.

17

Q. Room 421 is across the hall on an

18

angle from Janice Estrella's room 423?

19

A. Correct.

20

THE COMMISSIONER: I'm sorry, would you

21

point them out because I can't see, which one is

423?

22

MS. CRONK: 423 is here.

23

THE COMMISSIONER: Is there. And where

24

25



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is 421?

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Q. Am I correct that Room 421 is immediately across the hall but on an angle?

5

A. Right.

6

Q. And Room 425 in which you also had patients is more or less directly across the hall?

7

A. Correct.

8

9

Q. Did you at any time prior to Janice Estrella's arrest, Mrs. Christie, while in Room 425, or in Room 421, have occasion to observe anyone feeding Janice Estrella, or taking into Janice Estrella's room feeding materials of any kind?

10

11

12

A. No, I didn't.

13

14

Q. Did you at any time when you were in and about Rooms 421 and 425 observe anyone administering any medication to Janice Estrella?

15

16

A. Neither.

17

18

Q. Do I have it correctly that you did not ever feed that child, nor did you administer any medication to her that night?

19

20

A. No, I did not.

21

Q. Can you tell me how it was that you learned that Janice Estrella was in difficulty that night?

22

23

A. I had been in Room 421, I took

24

25



1
2 my babies signs and fed them. Then at one point I
3 heard a baby crying and I wasn't sure who it was,
4 it could be Janice Estrella, and it could be somebody
5 in 418. I thought maybe that was Janice Estrella but
6 I can't say for sure which it was, and the baby was
7 crying for a long time. I thought to myself, how
8 come Susan (sic) doesn't comfort that baby since she
9 has only one baby to look after and that baby is
10 crying all the time. But I didn't go out, I didn't
11 check which one it was. So I took signs on my
12 children and I also fed them. Then about 2:30 I heard
13 Sui Scott being-calling twice, "Phyllis, Phyllis" from
14 the door, she didn't use the emergency buzzer,
15 only she called Phyllis twice. So Phyllis and Bell
16 they came, they were down at the nursing station and
17 they came to see Sui Scott and they called a 25.

18 Q. Mrs. Christie, can you tell me
19 how long it was after you heard this child crying
20 that you heard Mrs. Scott call out Mrs. Trayner's
21 name?

22 A. Maybe 20 minutes or half an
23 hour.

24 THE COMMISSIONER: Just a moment. Before
25 we leave that; is that after the baby started to
cry or had she stopped crying?



14 1
2 THE WITNESS: No, first the baby had
3 been crying about 2:00 when I was taking signs and
4 feeding my babies, so that baby was crying, could be
5 crying for maybe 20 minutes or so, 15 minutes at
6 least, or 20 minutes. But I am not sure if that
7 was Estrella, it could be a baby in Room 418 because
8 there are also babies in that room too and I can't
9 say for sure it was Estrella.

10 Q. The baby was crying you said you
11 think for about 15, it could be as long as 20 minutes?

12 A. Correct.

13 Q. And then did the baby stop
14 crying?

15 A. Yes.

16 Q. At any point when you heard
17 the child crying did you get up to see which child it
18 was, or to see what the problem was?

19 A. No, I didn't, I had been feeding
20 the babies in my room, no, I didn't.

21 Q. And how long was it after the
22 child stopped crying before you heard Mrs. Scott
23 call out for Phyllis Trayner?

24 A. Maybe 10 minutes, 10 or 15
25 minutes.

Q. I am sorry.



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A. Ten or 15 minutes.

Q. And you told us then that you thought that was approximately 2:30?

A. Correct.

Q. You have also told us that Phyllis Trayner and Bertha Bell you thought were at the nursing station, did I hear that correctly?

A. Right.

Q. How do you know they were at the nursing station?

A. Well, they came from the nursing station, I presume they had been there.

Q. Were you still in Room 421?

A. Right.

Q. When they came from the nursing station?

A. Yes.

Q. Did you see them pass your room?

A. Yes.

Q. Or did you go out into the hall?

A. No.

Q. What did you do?

A. I seen them, my door was open so I could see them go by it.

Q. What did you personally do when



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you heard Mrs. Scott calling out for Mrs. Trayner?

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A. Well, she called - I didn't know at first why did she call her, I didn't know what for, and so Mrs. Trayner came and so came Bertha as well and then they went and they called a 25.

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Q. What did you do when you heard Mrs. Scott calling out for Mrs. Trayner?

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A. I left my room and went to see 423 what should be done. So I think the emergency cart was all ready and then I believe some doctors came there.

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Q. Do I understand this correctly then, that when you heard Mrs. Scott calling out you left Room 421 and went to 423 to see if you could be of help?

A. Right.



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Q. And that was before the Code 25
was called?

A. No. When Code 25 was called
I didn't know first why was she calling them, no, I
didn't know.

Q. You didn't leave the room then
until the Code 25 was called?

A. No.

Q. When you arrived at 423 who
was there?

A. Phyllis was there and Bertha
was there and Sui Scott was there and from B side
nurses.

Q. Do you remember which nurses
from B side were there?

A. I believe it was Parcells,
Shirley Ann Parcells, and somebody else. I don't
remember who, but somebody else, yes.

Q. What were they doing when you
arrived in the room?

A. I believe some doctors came at
the same time too, also doctors arrest team came too.

Q. Well, do you --

A. And supervisors later too.

Q. Mrs. Christie, how long was it



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after you heard Mrs. Scott calling out for Mrs.
Trayner before the Code 25 was called?

A. Not long. They just came and
they came right away, 25.

Q. Was it a matter of minutes or
was it five, ten minutes --

A. No.

Q. -- fifteen?

A. No. Matter of minutes.

Q. All right. Did you remain in
Room 423 during the resuscitation?

A. No, I didn't because it was a
small room and it was isolation room, no, I did not.

Q. What did you do after you
went to Room 423?

A. I went back to 21 to finish
feeding my babies.

Q. Did you see Janice Estrella
again or were you back in Room 423 again before she
was pronounced dead?

A. No.

Q. Can you tell me, Mrs. Christie,
after the child had been pronounced dead did you form
any impression based either on discussions with nurses
and physicians who were then on the ward or on the



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basis of what you observed their reaction to be as to whether or not her death was considered expected or unexpected?

A. I don't remember.

Q. Do you recall any discussion amongst any of the nurses or physicians who were there on the ward after her death as to the cause of her death or the circumstances of her death?

A. No, I don't recall.

Q. Did you see Dr. Schaffer on the ward at the time of Janice Estrella's arrest or thereafter?

A. I saw Dr. Schaffer, yes, if that was for Janice Estrella, but I'm not sure. But I recall seeing him, yes.

Q. Do you recall having any discussion with Dr. Schaffer that night?

A. No, I did not.

Q. Was there any discussion of which you were aware that night after Janice had been pronounced dead concerning the taking of a blood sample for a digoxin level?

A. No, I didn't. No, I didn't, no.

Q. Was there any discussion that night of which you were aware concerning the reporting



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of that child's death to the Coroner?

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A. No.

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Q. Can you tell me, Mrs. Christie,
when you first learned that Janice Estrella had an
elevated post mortem digoxin level?

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A. Quite late. I didn't know
from the beginning. Quite late, later on, yes. I
couldn't tell exactly but not right away.

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Q. Did you know of Janice
Estrella's elevated digoxin level before the arrest
of Susan Nelles on charges of murdering Justin Cook?

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A. No.

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Q. It was after March 25th then?

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A. Right.

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Q. We know as well, Mrs. Christie,
that the day after Janice Estrella's death there was
a third meeting. You will recall that we spoke about
two that had taken place in September.

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There was a third meeting amongst
a number of nurses and physicians to discuss the
deaths which had taken place on the cardiac wards.
Were you aware that that meeting was scheduled to
take place?

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A. No.

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Q. Were you at the meeting?



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A. No, I wasn't.

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Q. After the meeting had been held were you informed that it had been held and the purpose for holding the meeting?

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A. No.

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Q. You didn't know that it had been held?

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A. Didn't know, no.

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Q. Were you aware of any discussions in the month of January following Janice Estrella's death concerning the circumstances of her death or any reasons that might account for her death? Do you recall any discussions about her at all in the month of January after she died?

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A. No, I don't recall any, no.

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Q. As you know, Mrs. Christie, there were a number of deaths in the months of February and the early part of March 1981. As I understand it you have very little recollection if any of those children but I would like to deal with them briefly.

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The first is Frank Fazio who died on February 4, 1981, at approximately 4:45 in the morning.

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As I understand it you worked the



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long night shift on Ward 4A on February 3rd, the
night of his death, do I have that correctly?

A. Yes.

Q. Do you recall seeing Frank
Fazio at any time during the course of that shift?

A. No.

Q. You were not assigned to his
care that night, were you?

A. No, I wasn't, no.

Q. Do you recall any of the events
leading up to the arrest and death of this child or
any discussions following his death amongst any of
the nurses and physicians on the ward?

A. No. Neither.

Q. The next child who died in
February, Mrs. Christie, was Bruce Floryn --

A. Right.

Q. -- who died on February 7,
1981. Do you recall that child?

A. I do, yes.

Q. Bruce Floryn had been in the
Hospital on a number of occasions, and as I under-
stand it you had been assigned to his care previously,
although not during the time of his last admission
to the Hospital. Is that right?



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A. Correct, yes.

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Q. And as well you worked the long night shift on Ward 4A on February 6th, the night of his death?

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A. Right.

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Q. Do you recall, Mrs. Christie, any of the events leading up to that child's arrest and death or any discussions which may have taken place on either Ward 4A or 4B following his death?

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A. No. I don't recall any.

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Q. Do you recall yourself entering his room and observing the child at any point during the long night shift on February 6th?

14

A. No. I wasn't in his room, no.

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Q. The third child who died in February, Mrs. Christie, was Jennifer Thomas, who died on February 12, 1981, at approximately 3:30 in the morning.

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A. Yes.

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Q. As I understand it you did work a long night shift on February 11th but you were posted to another ward, Ward 7C and D; is that correct?

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A. Correct.

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Q. Once again in order to determine that you had been posted as a relief



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FF8

registered nursing assistant to another ward you would have had to have gone to 4A at the beginning of the shift to learn of your assignment. Is that correct?

A. That is correct.

Q. At the end of the shift did you as well return to 4A before leaving the Hospital?

A. No, I would leave from 7C and straight home.

Q. Were you at any time after Jennifer Thomas' death, Mrs. Christie, informed of any of the events leading up to her death or the circumstances surrounding her death?

A. No.

Q. Were you at any time informed of any concerns which any of the nurses or physicians on either Ward 4A or 4B might have had with respect to that child's death?

A. I don't remember. I don't recall.

Q. There were as well a number of deaths as I have suggested during the first two weeks of March 1981. The first was David Leith, who died on March 6th at 10:30 in the morning.

As I understand it you were not on duty



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on either of the two days preceding his death (that is March 4th or March 5th) and you did not come back to work until the long night shift on March 6th.

Do I have that correctly?

A. That is right, yes.

Q. You were not then I take it on duty on the day or the time he actually died?

A. No, I wasn't on duty, no.

Q. Do you recall being informed when you did come back in to work, be it the night of March 6th or subsequently, of any of the circumstances surrounding that child's death?

A. No.

Q. Do you recall being informed or becoming aware at any time of any concerns that any members of the nursing and medical staff had with respect to the child's death, be it why he died or the manner in which he died?

A. No, I don't recall.

Q. Similarly, the next child who died was Colleen Warner, who died the night of March 6th when you were working a long night shift.

A. Yes.

Q. Do you recall that?

A. I had been working but I don't



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recall her, no.

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Q. You recall working the long
night shift of March 6th?

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A. Right. I had been working,
yes.

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Q. As I understand it you had
patients that night on both Ward 4A and 4B?

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A. Yes.

Q. Do you remember?

A. Yes.

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Q. Did you have occasion at any
time that night as best you can recall it to see
Colleen Warner prior to her arrest?

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A. No.

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Q. You were not assigned to her
care?

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A. No.

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Q. Do you recall any of the
circumstances or events leading up to that child's
arrest and death?

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A. No, I don't recall.

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Q. Do you recall any discussions
following her death as to any concerns that anyone
on the ward may have had as to why she died or as to
the fact that she had died when she did?



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A. No, I don't remember any discussions, no.

Q. The next child who died was Jordan Hines, Mrs. Christie. He died on March 8th.

A. Yes.

Q. This is a child you will perhaps remember who died on Ward 4B.

A. Yes.

Q. There is some confusion about the exact time of his death but it appears to have been after about 4:00, 4:30 in the morning.

As I understand it you worked, as we have suggested, on March 6th. That was the night that Jordan Hines was admitted to the Hospital, and you were, as I have suggested, in charge of patients on both Wards 4A and 4B that night. Do you remember that?

A. Yes.

Q. Do you remember seeing Jordan Hines after he was admitted to the Hospital while you were working the long night shift on March 6th?

A. No. I hadn't seen him.

Q. Were you aware of the fact that he had been admitted?

A. No. No, I didn't know. I know



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somebody being like a friend of Janet Brownless but
I hadn't seen him, no.

Q. I'm sorry, you know someone
was...?

A. Yes, someone, like Jordan
Hines' mother and Janet Brownless, they knew each
other, they had been friends. I knew about it, but
I hadn't seen the child, no.

Q. All right. We were talking
about the night of March 6th which was the night he
was admitted to the Hospital.

A. Yes.

Q. The very next night, on March
7th, which was in fact the night he died, you were
again working long nights but this time exclusively
on Ward 4A.

A. Yes.

Q. Is that correct?

A. Yes.

Q. Do you recall that?

A. Yes.

Q. As I understand it you had
five patients that night in three different rooms?

A. Right.

Q. Did you at any time that night



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go over to Ward 4B and see Jordan Hines or enter the room where he was staying?

A. No, I did not.

Q. Did you at any time that night have any discussion with any of the nurses from Ward 4B or indeed any of the nurses from Ward 4A as to his condition prior to his arrest?

A. No, I didn't.

Q. Do you remember the child being talked about by the nurses at all before he suffered an arrest?

A. No, I don't recall. I don't remember, no.

Q. I take it, however, while you were on duty that night you did learn that the child was experiencing difficulties?

A. Later, yes.

Q. How did that come about?
How did you learn about that?

A. I think it was when arrest team was called for him, 25.

Q. Did you hear a Code 25 being called?

A. I'm not sure. I can't recall.
I can't recall.



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Q. Do you recall whether or not you went over to Ward 4B at the time of Jordan Hines' arrest or before he was pronounced dead? Did you go over to see the child or go over to the room to see if you could help?

A. I probably had been in that room but I don't remember.

Q. Do you remember any discussions after the child's death, Mrs. Christie, in which anyone suggested that they were concerned as to the cause of his death or why he had died?

A. No.

Q. That I take it is true of the morning of March 8th before you went off duty?

A. Right.

Q. In the days following while you were at work at the Hospital, were you made aware of any of the concerns that any of the nurses had regarding the cause of his death?

A. No, I didn't hear anything.

Q. We have heard evidence from other witnesses, Mrs. Christie, that on March 11th, some days after Jordan Hines died, there was a meeting of nurses on Ward 4A during which the death of this child was discussed, and particularly the concerns



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that some of the Ward 4B nurses had regarding his death.

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It is my understanding that you did not work during the day shift on March 11th. Is that correct?

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A. Correct.

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Q. Were you informed or did you know about the fact that that meeting had been held?

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A. No, I didn't know. I don't remember. I couldn't tell. I don't remember. I don't know.

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Q. Do you remember whether or not you were at the meeting?

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A. Oh, no, I wasn't at the meeting, no.

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Q. Subsequently did you discover that there were nurses who were concerned about his death?

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A. I'm not sure.

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Q. Did you ever discuss his death with Janet Brownless, as best as you can recall?

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Q. The next child who died, Mrs. Christie, was Barbara Gionas, who died the very next night, March 9th, at 1:45 in the morning. Once again



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I suggest that you worked the long night shift on March 8th, the night she died. Am I right?

A. Right.

Q. And on that night as I understand it you were not working on Ward 4A or 4B but you were relieving on Ward 7C and 7D. Do I have that correctly?

A. Correct.

Q. Once again in coming on to Ward 4A and learning that you had been posted as a relief nurse, did you at that time have any discussion or form any impression as to the condition of Barbara Gionas that evening?

A. No.

Q. Do you recall at any time that night, although you were working on Ward 7C and 7D, seeing Barbara Gionas on Ward 4A?

A. No, I hadn't seen her.

Q. Do you remember any discussions following her death, Mrs. Christie, as to the circumstances of her death or the events leading up to her arrest?

A. No, I don't recall.

Q. And again do you remember discussions or concerns being expressed by anyone on



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the wards as to why she had died or as to the fact
that she had died at the time that she did?

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A. No, I don't remember, no.

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Q. We come then, Mrs. Christie,
to the night of March 11th, some few days later, and
there were two arrests on the wards.

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A. Yes.

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Q. Michelle Manojlovich who died
on Ward 4B at approximately 3:35 in the morning --

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A. Yes.
Q. -- and Kevin Pacsai who was a
4B patient ran into difficulty and was transferred to
the ICU where he later died on the morning of March
12th.

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It is my understanding that you did
work the long night shift on March 11th but you were
assigned to patients exclusively on Ward 4A. Is
that correct?

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A. Correct, yes.

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Q. If it would be of assistance
to you at any point, Mrs. Christie, to see the
assignment book please ask for it, but I take it
you recall that you did work that night, March 11th?

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A. March 11, I worked that night,
yes.

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FF17



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Q. All right. Do you have exhibit 32A there. Could you turn to tab 13, Mrs. Christie, if you would, please, and to page 159.

A. Yes.

Q. Do you have that?

A. Yes.

Q. All right. I would refer you to the patient assignment for the long night shift on March 11th and it appears, as I have suggested, that you were working the long night shift on ward 4A and you were assigned to some five children; three in room 421 and two in room 418.

A. That's correct.

Q. And in addition amongst your own team members who were working that night, Mrs. Trayner as the nurse in charge and she also had a patient assignment, Mrs. Scott was working on ward 4A and had responsibility for five patients, and Miss Nelles was working but was working as a relief nurse on ward 4B; is that correct?

A. That's correct, yes.

Q. All right. Did you at some point that night, Mrs. Christie, learn that a patient on ward 4B by the name of Michelle Manojlovich was experiencing difficulty or had suffered an arrest?



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A. I don't remember anything about Michelle, I can't recall anything, nothing at all.

Q. Well, did you then at some point that night learn that a patient on ward 4B by the name of Kevin Pacsai was experiencing difficulty?

A. Yes, I did.

Q. Can you tell me please how you learned about that?

A. About ten to four it was the alarm for Kevin Pacsai and Phyllis Trayner attended a baby in 418. So, as soon as she heard that alarm she went to room 431 where Kevin Pacsai had been.

THE COMMISSIONER: I'm sorry, was it an alarm did you say?

THE WITNESS: Yes, like in a 25 or an alarm in a hospital, a hospital alarm for Kevin Pacsai.

THE COMMISSIONER: Yes, I see.

THE WITNESS: And Phyllis went over and she attended a baby first in 418 in an isolette. So Phyllis went over, so, I finished, I looked after that baby, changed the diapers and then after I went to Phyllis to ask what should be done for that



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baby in the isolette because I didn't look after that particular baby. So, I went to 431 where Kevin Pacsai had been and so Phyllis told me to change the diaper and take temperature on that baby and that baby didn't need to be fed, that baby was on NG tube feeding and I came back to my floor and looked after all the children on 4A side.

Q. All right. Well, Mrs. Christie, we know that that night you of course, had two patients in room 418?

A. Right.

Q. And as I have suggested to you earlier Mrs. Trayner was the nurse in charge and she had a patient in room 423.

A. Yes.

Q. Do I understand you to be saying that at the time that you heard the alarm on Kevin Pacsai, Mrs. Trayner was feeding a child in room 418?

A. No, she wasn't feeding, she was just changing diapers or attending to a baby there.

Q. All right. And that was a child in room 418?

A. Right.



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Q. And were you there at the same time attending to your patient?

A. Right, yes.

Q. When you say that you heard the alarm going off for Kevin Pacsai.

A. Yes.

Q. Did you hear a code 23 or a code 25 being called or did you hear the emergency buzzer, what did you hear?

A. I thought I heard the emergency buzzer, that's what I thought.

Q. All right. You don't recall hearing a code 25 at that point?

A. Right.

Q. And I think you said that that happened at about ten to four in the morning?

A. Right, correct.

Q. Can you tell me how it is that that particular time stands out in your mind?

A. I don't know how come, I was just looking at that time at the clock and it was just ten to four.

Q. When you say you were looking at the clock, is there a clock in room 418?

A. Oh, yes, there are clocks in



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every room, we've got clocks like that.

Q. You are pointing to the one
here on the wall?

A. That's right.

Q. And when the buzzer went off
Mrs. Trayner then left as you have told us.

A. Right.

Q. And went over to ward 4B?

A. That's correct.

Q. How long was it after Mrs.
Trayner left before you left and went over to 4B
as well?

A. That was just a couple of
minutes, maybe five minutes.

Q. All right. And did you go
into Kevin Pacsai's room?

A. Right. I went to Kevin Pacsai's
room and I asked Phyllis what should I do on our
side and came back right away.

Q. All right. Can you tell me
who was in room 431 when you arrived?

A. It was Susan Nelles and Phyllis
Trayner had been there with Susan Nelles and some
other 4B nurses, but I don't remember exactly.

Q. Mr. Registrar, could you show



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GG6

the witness please, if you would, exhibit 106,
Kevin Pacsai's chart.

Mrs. Christie, before we turn to the
medical chart, I would ask you if you remember being
called as a witness and testifying at the preliminary
hearing involving Susan Nelles?

A. Yes.

Q. And do you recall during the
course of your evidence being asked various questions
concerning Kevin Pacsai?

A. Right.

Q. I'm going to direct you to a
portion of your evidence, Mrs. Christie, I would ask
you to look at page 1568 of the transcript. That's
Volume 7, sir.

You have told me, Mrs. Christie, that
you remember looking at the clock in room 418 and
noting that the time was approximately ten to four
I believe you said and that's when the buzzer sounded
and Mrs. Trayner left room 418 and went over to
4B to Kevin Pacsai's room. Have I summarized that
fairly?

A. I haven't got it, just a minute.

Q. No, I'm sorry, that's what you
have told me here within the last ten minutes.



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A. Oh, no it was before 4:00
o'clock when she left.

GG7

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Q. You told me I thought that you
thought it was ten to four in the morning?

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A. Yes.

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Q. That you looked up at the clock,
noted the time?

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A. Yes.

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Q. And that's when the buzzer
went off?

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A. Right.

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Q. I direct your attention to the
transcript of your evidence at Page 1568 and specific-
ally ask you whether you recall being asked these
questions, starting at approximately line 5:

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"Q. All right. Well, what was the one
that you recall? What room was it in,
do you recall?

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A. That was in 431.

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Q. In 431?

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A. That's right, yeah.

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Q. And who was the baby that was --

22

A. Kevin Pacsai.

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Q. Well, you say you saw Phyllis
with that baby too?

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A. Yeah, Phyllis went to that room at 2, about 2:00 a.m. when they called the 25, that's when she went to that room to help.

Q. Did you go into that room when she was there?

A. Yeah. Well I went and asked her what should I do on our floor on our side in room 418, what should I do for these other babies.

Q. Well, was she with Kevin Pacsai when you went to ask her that?

A. Yeah, yeah, I think she has been there yeah."

Q. Mrs. Christie, do you remember being asked those questions and giving those answers?

A. Yes, I remember, but that's wrong.



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Q. Well, that may be, Mrs.

3

Christie, but in fairness that is not exactly the
4 question I had asked you. May I deal with it in
5 part. You were asked those questions and gave those
6 answers. Were the answers true at the time, Mrs.
Christie?

7

A. No, no, I'm sure it was later,
8 it was about four o'clock. That's wrong, yes.

9

Q. Before testifying at the
10 preliminary hearing, Mrs. Christie, had you had an
11 opportunity to review the medical record of Kevin
12 Pacsai?

12

A. No.

13

Q. And I take it that you did not
14 remember when testifying at the preliminary hearing
15 that you had looked up at the clock in Room 418 and
16 noted the time as ten to four or you would have
17 indicated that the incident took place at about ten
18 to four in the morning, is that so?

18

A. Correct.

19

Q. I am going to refer you as
20 well, Mrs. Christie, to Kevin Pacsai's medical
21 chart and I would ask you specifically to look at
22 page 65.

22

23

Mrs. Christie, did you review the

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G2.2 medical charts of a number of these children in
preparing to testify before the Commission?

A. If I reviewed them?

Q. Yes.

THE COMMISSIONER: Did you look at
them?

THE WITNESS: Yes, I understand.
Yes, some time before. Not recently, but I did.

MS. CRONK: Q. Did you look at
Kevin Pacsai's?

A. I'm not sure, I'm not sure.

Q. Do you remember reviewing or
looking at the charts of most of the children who
had died during this nine-month period?

A. Most of them, yes.

Q. All right. Could I ask you to
turn to page 65.

A. Yes.

Q. Do you have that?

A. Yes.

Q. Right. You will see there
about half-way down the page the nursing note that
appears to have been made by Miss Nelles. It starts
at about 3:45 in the morning until 6:00 a.m. on
March 12th. Do you see that?



G2.3

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A. Right, yes.

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Q. And Miss Nelles records the child's condition and indicates that at approximately four in the morning she attempted to feed the babe and his behaviour was entirely different from the other two times, he was lethargic and limp in her arms and she continued to record his difficulties with his apex, difficulties with his respirations; they have become shallow and were mainly in the 30s and his blood pressure was decreased from 100 down to 76. Do you see that?

12

A. Yes.

13

14

Q. All right. I take it you don't specifically remember reviewing Kevin Pacsai's chart to prepare for the Commission?

15

A. No.

16

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Q. But my suggestion to you is that on remembering that you looked at the clock and noting the time when this particular incident occurred, it was very close to the time when Miss Nelles suggests that the child ran into some difficulties, that is, 3:45 or ten to four in the morning?

21

A. Yes.

22

Q. Is that correct?

23

A. Yes.

24

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Christie
dr.ex. (Cronk)

GG2.4

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Q. And is it your evidence here that you were mistaken and in error when you testified at the preliminary hearing that Phyllis Trayner went over to Ward 4B and into Kevin Pacsai's room at approximately two in the morning?

A. That's wrong, right. That's right.

Q. Did you at any time prior to that occasion, Mrs. Christie, that is when you went over to speak to Mrs. Trayner to determine what you should be doing with this baby in Room 418, did you at any time earlier than that go into Kevin Pacsai's room on Ward 4B?

A. No, I did not.

Q. And you have told us that you spoke with Mrs. Trayner and that you then returned back to Ward 4A, do I have that correctly?

A. Correct.

Q. And you continued to attend to the child who was in Room 418?

A. Right.

Q. Were you looking as well after the other patients in Ward 4A?

A. Yes.

Q. Did you at any point prior to



GG2.5

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Kevin Pacsai's transfer to the Intensive Care Unit
return to 431?

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A. No.

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Q. You didn't?

6

A. I didn't, no.

7

Q. Did you see him again before
he was transferred?

8

9

A. I saw Susan Nelles carrying
him, waiting at the elevator to go to ICU at 5:30.

10

11

Q. Well, again, can you help me
as to how it is that the time of 5:30 in the morning
stands out in your mind?

12

13

14

15

A. Because I was just doing some
charting at the desk and she was waiting for the
elevator. So, I just happened to look at the clock,
that's all, and it was 5:30.

16

17

Q. Which clock was it this time?

18

A. Like, we've got two clocks
like that at the nursing station as well.

19

20

Q. All right. And you recall
looking at the clock and noting that it was 5:30?

21

22

A. Right.

23

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Q. And you saw Miss Nelles at the
elevator?

A. Right.



GG2.6

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Q. Did she have the baby with her?

3

A. Yes.

4

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Q. Well, can you tell me, was she holding the baby or did she have a crib or a stork bed?

6

7

A. I think she was holding the baby in her arms.

8

9

Q. Was there anyone there other than Miss Nelles --

10

A. No.

11

12

Q. You haven't heard the question yet, Mrs. Christie. Was there anyone there other than Miss Nelles and of course the baby?

13

14

A. No, she was alone with the baby.

15

16

Q. All right. Did you see Miss Nelles take the elevator and leave the floor?

17

18

A. No, I only saw her waiting for the elevator, that's all, and I left, I didn't stay there any longer.

19

20

Q. While you were watching or at least while you were there and could see Miss Nelles at the elevator, did anyone join her at the elevator?

21

22

A. Not while she had been waiting, I hadn't seen anybody.

23

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Q. Not while you were there?

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Christie
dr.ex. (Cronk)

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GG2.7 2
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A. That's right.

Q. But as I understand it you
left before she got on the elevator?

A. Right.

Q. So, it is possible that someone
did join her, for example a physician, before she
took the elevator and left with the baby?

A. It's possible, yes.

Q. Once again, Mrs. Christie,
I am going to refer you to some of your evidence
at the preliminary hearing. I would ask you to look
this time at page 1569, starting at about line 7.
Page 1569.

A. Yes.

Q. All right. Starting at about
line 7:

"Q. All right. Did you see Baby
Pacsai at any other time that
morning?"

"A. I think Baby Pacsai was trans-
ferred to ICU, to Intensive Care Unit."

"Q. Do you know who took him down
there?"

"A. I think Susan Nelles."

"Q. Susan Nelles took him down. What



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GG2.8

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time would that have been, Mrs.

3

Christie?"

4

"A. That would be in the morning,

5

some time in the morning, early in the morning."

6

"Q. You don't recall the time or do you?"

7

8

"A. Maybe 5:00, 5:30, I'm not

9

certain."

10

Now, stopping there for a moment.

11

Do you remember being asked those questions, Mrs.

12

Christie, and giving those answers?

13

A. Yes.

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Q. All right. And would I fairly suggest that there is no indication in that portion of your evidence that you looked at the clock at the nursing station and noted particularly that the time was 5:30 in the morning. You didn't say that, did you?

A. No, I didn't say that, but that's how it was, yes.

Q. Well, can you help me then Mrs. Christie as to why you agreed at the preliminary hearing that you were not certain of the time, whereas today you have told us that you are certain and that it was 5:30 in the morning.

A. Well, at the preliminary hearing you don't have much time and you get all those questions and you just can't recall, you know, in one minute you just can't think clearly, you just don't remember.

THE COMMISSIONER: Are you sure now that you looked at the clock and it was 5:30?

THE WITNESS: I remember that exactly, that's why I looked at the clock and it was 5:30, yes.



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2

Q. How did you know, Mrs.

3

Christie, that Susan Nelles was going to the
Intensive Care Unit with the baby?

4

5

A. Well they mentioned that the
baby would be transferred to ICU, that baby is going
to ICU.

6

7

Q. Who mentioned that?

8

A. The nurses and the doctor

9

I believe.

10

Q. When was that?

11

A. That was shortly before she

took him down.

12

13

Q. Where were you at the time?

How did you learn that the child was going to the
Intensive Care Unit?

14

15

A. Somebody mentioned, I don't
remember who exactly told me, how I found out, but
I knew that he had gone to the Intensive Care Unit.

16

17

18

Q. Did you have any discussion
with Miss Nelles when you saw her at the elevator?

19

20

A. No.

21

Q. At any point that night, Mrs.

Christie, including the few moments when you were in
Room 431 to speak to Mrs. Trayner, did you observe
anyone administering any medication to Kevin Pacsai?

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A. No I didn't, no.

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Q. At any point that night did you hear about anyone feeding the child, or did you observe anyone feeding the child?

5

6

A. No, I haven't seen anybody feeding him, no.

7

8

9

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Q. After you left Room 421 you have told us that you went back to Ward 4A and looked after the patients in Room 418 and the other patients on Ward 4A, and I take it at some point Mrs. Trayner returned?

11

12

A. Right.

13

14

15

16

Q. Did she return to Room 418?

A. I am not sure if she returned, but she returned to 4A, I am not sure if she came right away to 418. I am not sure, but she returned to 4A, yes.

17

18

Q. Did you see her again before the end of your shift that morning?

19

20

A. Yes.

21

22

23

24

25

Q. Did you discuss with her

what Kevin Pacsai's condition was?

A. No.

Q. I understand that when you left Room 431 the Arrest Team had just arrived and



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2

there were nurses in the room?

3

A. Right.

4

Q. And then you came back to

5

418 and 4A and did not go back to 431 again?

6

A. Right.

7

Q. Is that right?

8

A. Right.

9

Q. So would it be fair of me

10

to suggest that you did not know when you went

11

back to Ward 4A what the outcome of the activity

12

in Room 431 had been?

13

A. Correct.

14

Q. And I understand you now to

15

be saying as well that you did not discuss the

16

condition of Kevin Pacsai with Phyllis Trayner

17

before you left the Hospital that morning?

18

A. Right.

19

Q. And you didn't ask her what

20

had happened to the child?

21

A. No, I didn't.

22

Q. You did however understand

23

that the child had gone to the Intensive Care Unit

24

because you observed Susan Nelles standing at the

25

elevator?

26

A. That's correct.

27

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Q. Did Mrs. Trayner mention
Kevin Pacsai to you again that morning?

3

A. No, she did not.

4

5

Q. Did you have any discussion
with Susan Nelles at any point that morning before
leaving the Hospital, about Kevin Pacsai?

6

7

A. No, neither.

8

9

Q. As I understand it on March
12th, that is that day, you again came into the
Hospital to work the long night shift, is that
correct?

10

11

A. Right.

12

13

Q. And you were posted that night
as I understand it again to the cardiac ward?

14

A. Yes.

15

16

Q. Did you learn when you came
into work on March 12th that the child had gone to
the Intensive Care Unit had died?

17

A. Yes, I did.

18

19

Q. Do you remember who told you
that?

20

21

A. I think the day nurses on the
ward, they mentioned that.

22

Q. Do you recall which day nurses?

23

A. I believe it was Marie Mandal.

24

Q. I am sorry?

25



Christie, dr.ex.
(Cronk)

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A. Marie Mandal I believe, Ms.

3

Mandal.

4

Q. Did she tell you specifically

5

or did you simply overhear her speaking to someone
else?

6

A. No, she had been talking to

7

the other nurses and I overheard her.

8

Q. On the night of March 12th,

9

Mrs. Christie, in addition to yourself working on

10

Ward 4A, were Mrs. Trayner, Miss Nelles and Mrs.

11

Scott, do you recall that? Do you recall that they

12

did work that night of March 12th, Mrs. Trayner,

13

Miss Nelles and Mrs. Scott?

A. Yes.

14

Q. When you came into work that

15

night, after you had heard that Kevin Pacsai died,

16

did you have any discussion either with Susan Nelles

17

or Phyllis Trayner regarding Kevin Pacsai?

18

A. No, I didn't discuss nothing.

19

Q. Did you ever hear Miss Nelles

20

or Mrs. Trayner having any discussion with respect to
the child?

21

A. No, all that I know that they

22

knew that he died, that's all.

23

Q. How did you know they knew

24

25



Christie, dr.ex.
(Cronk)

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that?

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A. Well Marie Mandal probably mentioned that to them. Like the day staff, when we came on nights the day staff mentioned that he had died in ICU.

7

8

9

Q. You don't remember overhearing, or witnessing any discussion between Miss Nelles and Mrs. Trayner that night, concerning Kevin Pacsai?

10

11

12

13

A. No.

Q. Do you remember in preparation for your evidence before this Commission, Mrs. Christie, meeting with members of the Commission staff together with your own lawyers?

14

15

16

17

A. Yes.

Q. Do you remember meeting on March 19th with members of the Commission staff and discussing the death of Kevin Pacsai?

18

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Q. If I suggested to you that you told Commission staff, at the meeting on March 19th, that when you came into work on March 12th you had overheard a discussion between Susan Nelles and Mrs. Trayner concerning Kevin Pacsai, would that accord with your recollection?

A. I'm not sure if that was March



1
2 12th, maybe that was later, maybe that was a week
3 later.

4 Q. Tell me please what you are
5 referring to, and then I will tell you what I am
6 referring to.

7 A. I remember - I think probably
8 it was a little bit later. Susan Nelles had holidays
9 and she had been away, and then when she came back
10 I believe on the Friday night, so she came in and
11 she said she was rather annoyed because Mrs.
12 Radojewski called her during the holiday and she
13 was at home. She mentioned to her that the baby
14 was a Coroner's case, Kevin Pacsai, she mentioned
15 that to Bertha Bell and to Mrs. Trayner.

16 Q. And when do you think that
17 discussion took place?

18 A. That was probably a week after
19 Kevin died.

20 MS. CRONK: Mr. Commissioner, I will
21 be a few more minutes on Pacsai, if you wish I can
22 complete it now and complete this matter or we can
23 continue tomorrow morning.

24 THE COMMISSIONER: Whatever you like.
25 I think I would like to survey how long we are going
to be.



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MS. CRONK: That's fine, sir.

3

4

THE COMMISSIONER: The threat of early
in the week may dissipate. How long do you think you
are going to be all told?

5

6

MS. CRONK: The better part of the
morning, sir, until after the break certainly.

7

8

THE COMMISSIONER: Mr. Knazan, how
long do you think you will be?

9

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MR. KNAZAN: It looks like an hour
at the most.

11

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14

THE COMMISSIONER: Well, it will be
the best part of the morning, so it will probably
be tomorrow morning, it will be tomorrow morning
at least before the Examination in Chief is finished.

15

16

MS. CRONK: That's right, sir, it will
be finished tomorrow morning.

17

18

19

THE COMMISSIONER: In the ordinary
course Mr. Brown, and Miss Forster, would you be
able to carry on tomorrow afternoon with cross-
examination?

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MR. BROWN: Certainly, sir.

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MS. FORSTER: Yes, sir.

THE COMMISSIONER: It might help,
would it help you at all if you got through this
examination. I am just thinking about - I don't know



1
2 how long we are going to be and I will take
3 another - before we decide about Monday, but will
4 you be long?

5 MR. HUNT: Half an hour to an hour.

6 THE COMMISSIONER: I take it you are
7 taking the Court of Appeal then?

8 MR. HUNT: Yes.

9 THE COMMISSIONER: And Mr. Percival
10 you are taking the Court of Appeal too?

11 MR. PERCIVAL: Yes.

12 THE COMMISSIONER: Well, all right.
13 Thinking out loud now it seems to me we can at
14 least close down shop on Monday. I don't know
15 whether the Court of Appeal will go on for two
16 days and we will make up our minds. Needless to
17 say I will not be there to assist you in that effort
18 on Monday afternoon but Mr. Lamek can be instructed
19 and we will decide whether we are going on or not
20 on Tuesday. We will just have to see what happens,
21 what the situation is.

22 MS. CRONK: Fine, sir. May we then
23 continue with Mrs. Christie in the morning.

24 THE COMMISSIONER: We will continue
25 with Mrs. Christie in the morning and I will take
another, around about 4:30 tomorrow afternoon and



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decide what we are going to do.

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MS. CRONK: For the benefit, sir -
excuse me, Mr. Tobias.

5

THE COMMISSIONER: Yes.

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MS. CRONK: For the benefit of at
least two counsel who I know have difficulties with
scheduling on Monday, is it then your present view
that we will not be sitting on Monday?

9

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THE COMMISSIONER: I know the trouble
they are having with being two places at once,
isn't that what it is?

12

MS. CRONK: Yes, sir.

13

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THE COMMISSIONER: They may want to
be three or four places at once.

15

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MS. CRONK: That may be so, sir, but
I know of two.

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THE COMMISSIONER: The two who were not
going to the Court of Appeal I take it.

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MS. CRONK: That are having difficulties
in arranging someone either to be here or there on
Monday.

THE COMMISSIONER: Yes. I think we can
safely - but it really doesn't solve Miss Forster's
problem entirely, because if it goes on for two
days I don't know what you will do then.



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MISS FORSTER: Possibly, sir, I had better find someone else to be in Court of Appeal on Monday and Tuesday.

THE COMMISSIONER: Don't tell the Court of Appeal that you think it is more important to have someone else there and you be here, you know.

MR. PERCIVAL: Mr. Commissioner, is there another witness next week?

THE COMMISSIONER: There isn't, at least so far there isn't.

MR. PERCIVAL: If there is none there is surely no problems in finishing this witness on Wednesday and Thursday, is there?

THE COMMISSIONER: I guess not. I don't think there is. Frankly, the thing that worries me is I decided to get tough early in the week and I find this is the wrong time to have got tough because we don't need it. I think probably you are quite right and the answer will probably be if the Court of Appeal can finish its business in two days we can finish ours in the remaining two days. I don't think it is going to be a problem, but we will just see how far we get tomorrow and I think we can sort ourselves out so that at least



Christie, dr.ex.
(Cronk)

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everybody will be free, everybody except me will

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be free to go to the Court of Appeal on Monday, and

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on Tuesday we will just have to see what the situation
is.

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All right. Then until tomorrow at
10 o'clock.

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---Whereupon the hearing adjourned at 4:35 until
Thursday, the 22nd day of March, 1984.

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